

Town of Arlington Board of Selectmen

Meeting Agenda

September 11, 2017 7:15 PM Selectmen's Chambers, 2nd Floor, Town Hall

- 1. Arlington Chamber of Commerce
 - a. Request to Co-Sponsor 'Taste of Arlington 2017'
 - b. Request: Special (One Day) Beer & Wine License, 10/3/17 @ Robbins Memorial Town Hall for 'Taste of Arlington 2017'

Beth Locke, Executive Director

2. Presentation: Jason Russell House

Paul Fennelly and George Parsons, Arlington Historical Society

CONSENT AGENDA

- 3. Minutes of Meeting: July 24, 2017; August 7, 2017
- 4. For Approval: Lexington's Nomination for At-Large Metropolitan Planning Organization Seat Richard Canale
- 5. Request: Special (One Day) Beer & Wine License, 9/21/17 @ Kickstand Cafe for 'Happy Birthday Kickstand'

Lori Uhland

6. Request: Special (One Day) Beer & Wine License, 9/22/17 @ Smith Museum, Jason Russell House for Arlington Historical Society Wine Reception

George Parsons, Trustee

7. Request: Special (One Day) Beer & Wine License, 9/23/17 @ Whittemore Robbins House for a Private Event

Carrie Marshall

8. Request: Special (One Day) Beer & Wine License, 9/30/17 @ Arlington Catholic High School for a 'Welcome Home Alumni Cocktail Reception'

Erin Simmons, Alumni Relations Assistant Director

9. Request: Special (One Day) Beer & Wine License, 10/7/17 @ Robbins Memorial Town Hall for a Private Event

Emilia Campbell and Thomas Beraldi

 Request: Special (One Day) Beer & Wine License, 10/8/17 @ Robbins Memorial Town Hall for a Private Event

Ashley Kairit

11. Request: Contractor/Drainlayer License

JCP Construction, Byfield, MA

12. Request: Contractor/Drainlayer License

Phoenix Communications Inc., Shrewsbury, MA

APPOINTMENTS

13. Byway Committee (terms to expire 10/1/2019)

Paul Fennelly George Parsons

LICENSES & PERMITS

14. Approval: Draft Liquor License Suspension Decision, Prime Your Local Butcher

Douglas W. Heim, Town Counsel

- a) Prime, Your Local Butcher, 1398 Massachusetts Avenue
- 15. Vote on Draft Decision or Reconsideration: Alexander Liquors Suspension Decision

Douglas W. Heim, Town Counsel

a) Alexander Liquors, 94B Summer Street

CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

Request: One Space, On Street Overnight Parking @ 36 Sutherland Road
 Nicholas Urie

- 17. Spring Road (3 Spring Rd. to 15 Spring Rd.)
 - a) Request: Repair to Private Way
 - b) Betterment Order

Mark Felix, 11 Spring Road

(tabled from 7/24/17 meeting)

18. For Approval: Ash Tree Removal @ 40 Webcowet Road

Jay Bradley and Keith Lombardi

- 19. Mothers Out Front
 - a. Vote: Support of Legislation Regarding Unaccounted for Gas (UFG) and Utility Customer Protection
 - b. Discussion: 'Pruning the Tree' by Audrey Schulman Anne Wright
- 20. Discussion & Approval: Arts and Culture Action Plan

Joseph A. Curro, Jr., Chair

Jenny Raitt, Director of Planning and Community Development

21. Discussion and Authorization: CPA Committee Vacancy

Joseph A. Curro, Jr., Chair

Adam W. Chapdelaine, Town Manager

22. Discussion and Approval: Bike Repair Station at Thorndike Field Adam W. Chapdelaine, Town Manager

23. Discussion and Approval: Bike Sharing Regulations

Adam W. Chapdelaine, Town Manager

24. Request for Approval: Formation of Marijuana Study Committee

Adam W. Chapdelaine, Town Manager

25. Discussion and Approval: Updated FY17 - FY18 Board and Manager Goals

Joseph A. Curro, Jr., Chair Adam W. Chapdelaine, Town Manager

CORRESPONDENCE RECEIVED

Request 4 Way Stop @ Broadway and Wyman Street

Margaret Stinson, 23 Wyman Street Steven Lazar, 234 Broadway Residents of Broadway and Wyman Street

Resignation from the Community Preservation Act Committee

David Levy, 7 Westmoreland Avenue

Concerns re Traffic Accidents at Intersection of Warren Street and Rawson Road Joseph Hogan via e-mail

NEW BUSINESS

EXECUTIVE SESSION

Next Scheduled Meeting of BoS September 25, 2017



Town of Arlington, Massachusetts

Arlington Chamber of Commerce

Summary:

- a. Request to Co-Sponsor 'Taste of Arlington 2017'
- b. Request: Special (One Day) Beer & Wine License, 10/3/17 @ Robbins Memorial Town Hall for 'Taste of Arlington 2017'

Beth Locke, Executive Director

ATTACHMENTS:

	Туре	File Name	Description
D	Reference Material	Request_to_Co-Sponsor.pdf	Request Letter to BoS Co-Sponsor
D	Reference Material	One_Day_Special_License.pdf	Special Beer and Wine Application



September 5, 2017

Board of Selectman Town of Arlington 730 Massachusetts Avenue Arlington, MA 02476

Dear Selectman,

The Events Committee of the Arlington Chamber of Commerce would like to invite the Town of Arlington to co-sponsor our biannual event "Taste of Arlington - 2017". The event is scheduled for Tuesday evening, October 3 from 5:00 pm - 8:30 pm at the Town Hall.

The purpose of the event is to introduce and promote local restaurants, caterers, and bakeries to the residents and workforce of Arlington. Each establishment will have an opportunity to provide a taste size sample of their choice to attendees at the event. They are also free to showcase their business with small props and table decorations as well as with the use publicity material so that attendees may learn more about their cuisine.

The Town of Arlington will not need to do any work at this event. The Chamber will take care of all of the details as the event is one of our primary sources of fundraising. Admission tickets will be sold for the event and there will be a cash beverage bar. Water will be complimentary.

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We hope that the town will once again partner with the Chamber and help make this pro-Arlington business event a huge success.

Sincerely,

Elizabeth T. Locke Executive Director

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant:Beth Locke
Address, phone & e-mail contact information:
_611 Mass. Ave., Arlington, Ma. 02474 info@arlcc.org 617-429-2558
Name & address of Organization for which license is sought:
Arlington Chamber of Commerce, 611 Mass. Ave., Arlington Ma
Does this Organization hold nonprofit status under the IRS Code? _X Yes No
Name of Responsible Manager of Organization (if different from above):same
Address, phone & e-mail contact information: same
Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year?NO If so, please give date(s) of Special Licenses and/or applications and title of event(s).
Is this event an annual or regular event? If so, when was the last time this event was held and at what location? biennial event October - 2015 - Town Hall
24-Hour contact number for Responsible Manager on Event date:
Beth Locke, 617-429-5228
Title of Event:
Taste of Arlington

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)
beer/wine beer/wine
What types of food and non-alcoholic beverages do you plan to serve at the Event?
Savory and sweet tapas provided by 20 Arlington restaurants. waters/sodas
Who will be responsible for serving alcoholic beverages at the Event?
Premier Bartending Service
What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.
TIPS CERTIFICATION
Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.
attached
Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc:
Atlas Liquors, Medford
Date of Delivery:Tuesday, 10/3/2017
Alcohol Serving Time (s) 5:00 - 8:30 pm
How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?
_Atlas will take back what is not used.
Date of Pick-Up:
Wed. 10/4/2017
Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete

ATTACHED

information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature:	
Printed name:Beth Locke	_
Printed title & Organization name: Arlington Chamber of Commerce	
Email:info@arlcc.org	and the later of t

revised: 5/18/2015 reformatted: 05/05/2017



ROBBINS MEMORIAL TOWN HALL AUDITORIUM 730 Massachusetts Avenue, Arlington, Ma. 02476

30 August 2017

SECURITY PLAN FOR TASTE OF ARLINGTON - CHAMBER OF COMMERCE EVENT

A food forum sponsored by the Arlington Chamber of Commerce - Taste of Arlington - will be held on Tuesday, October 3, 2017, at Arlington Town Hall. The event is scheduled for 5:00 pm to 8:30 pm.

An Alcohol Permit Application has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 200 guests to attend. We anticipate some attendees will be under age.

Patsy Kraemer will be the event coordinator for the event. Greg Stathopoulos will be the custodian for the event. Twenty Arlington restaurants will be catering the event and Premier Bartending Service will provide the bartending service and will provide the TIPS certified bartending staff. The Chamber of Commerce planning committee is responsible for ensuring that the event runs smoothly.

A fire services detail will be hired for the event. This officer will be available to help with any emergency situations that may arise.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

Please advise if there are other items that we need to consider.

JHOGAN

ACORD'

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/10/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). CONTACT Roblin Insurance Agency 144 Gould Street Suite 100 FAX (A/C. No): (781) 449-8976 PHONE (A/C, No, Ext): (781) 455-0700 E-MAIL ADDRESS: certificates@roblininsurance.com Needham, MA 02494 INSURER(S) AFFORDING COVERAGE NAIC# INSURER A: Mount Vernon Fire Co INSURER B: StarStone National Insurance Company 25496 INSURED INSURER C: U.S. Liability Ins. Co. Premier Catering & Bar Service LLC PO Box 540310 INSURER D: Waltham, MA 02454 INSURER E : INSURER F: REVISION NUMBER: CERTIFICATE NUMBER: COVERAGES THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. POLICY EFF POLICY EXP
(MM/DD/YYYY) (MM/DD/YYYY) ADDL SUBR INSD WVD POLICY NUMBER LIMITS TYPE OF INSURANCE 1,000,000 EACH OCCURRENCE COMMERCIAL GENERAL LIABILITY X 100,000 DAMAGE TO RENTED PREMISES (Ea occurrence) 03/11/2017 03/11/2018 CLAIMS-MADE X OCCUR BINDER 5,000 MED EXP (Any one person) 1,000,000 PERSONAL & ADV INJURY 2,000,000 GENERAL AGGREGATE GEN'L AGGREGATE LIMIT APPLIES PER: 2,000,000 PRODUCTS - COMP/OP AGG HIRED NONOWNED POLICY PRO-JECT 1,000,000 OTHER: COMBINED SINGLE LIMIT (Ea accident) **AUTOMOBILE LIABILITY** BODILY INJURY (Per person) ANY AUTO SCHEDULED AUTOS BODILY INJURY (Per accident)
PROPERTY DAMAGE
(Per accident) OWNED AUTOS ONLY HIRED AUTOS ONLY NON-OWNED AUTOS ONLY 5,000,000 В **EACH OCCURRENCE** X UMBRELLA LIAB OCCUR 5,000,000 03/11/2017 03/11/2018 88915C175ALI CLAIMS-MADE AGGREGATE X **EXCESS LIAB** DED RETENTION \$ OTH-PER STATUTE WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYER If yes, describe under DESCRIPTION OF OPERATIONS below E.L. DISEASE - POLICY LIMIT 1,000,000 03/11/2017 03/11/2018 per Occurence CL1569703C Liquor Liability 2,000,000 CL1569703C 03/11/2017 03/11/2018 Aggregate Liquor Liability DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Town of Arlington is additional insured with regard to liablity of the named insured. CANCELLATION CERTIFICATE HOLDER SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. **Town of Arlington Town Hall** 730 Massachusetts Ave. AUTHORIZED REPRESENTATIVE Arlington, MA 02476

eTIPS On Premise 2.0SSN:

XXX-XX-XXXX

11/18/2015 Issued:

11/18/2018

ID#:

4129771

Expires: XXXXXXXXX D.O.B.:

Allan J Gray Capers Catering 21 Emerson St Stoneham, MA 02180-2053

For service visit us online at www.gettips.com .

eTIPS On Premise 2.0 SSN:

XXX-XX-XXXX

Issued: 11/18/2015

Expires: 11/18/2018

ID#:

4129671

D.O.B.:

XXXXXXXXX

Diane Maini Capers Catering 21 Emerson St Stoneham, MA 02180-2053

For service visit us online at www.gettips.com



Town of Arlington, Massachusetts

Presentation: Jason Russell House

Summary:

Paul Fennelly and George Parsons, Arlington Historical Society



Town of Arlington, Massachusetts

Minutes of Meeting: July 24, 2017; August 7, 2017

ATTACHMENTS:

	Туре	File Name	Description
D	Reference Material	7.24.17_draft_minutes.docx	Draft Minutes 7.24.17
D	Reference Material	8.7.17_draft_minutes.docx	Draft Minutes 8.7.17

TOWN OF ARLINGTON BOARD OF SELECTMEN Meeting Minutes Monday, July 24, 2017 7:15 PM

Present: Mr. Curro, Chair, Mr. Byrne, Vice Chair, Mrs. Mahon, and Mr. Dunn

Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Krepelka

Absent: Mr. Greeley

PROCLAMATIONS

1. Proclamation: Police Officer Matthew Riley

Mr. Curro read the Proclamation honoring Police Officer Matthew Riley for his heroic actions in answering the call of duty without regards for time or place when an imperiled swimmer was in dire need of assistance.

The Board of Selectmen thanked Officer Riley for his exemplary actions as both a citizen and an Arlington Police Officer on behalf of the Town's residents.

FOR APPROVAL

2. Vote: Determination of the Maximum Useful Life of Two Planned FY2018 Capital Asset Purchases To Be Financed

Dean Carman, Treasurer & Collector of Taxes

The Board of Selectmen voted the following:

Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$900,000 borrowing authorized by the vote of the Town passed May 3, 2017 (Article 34) is hereby determined pursuant to G.L.c.44,§7(1) to be as follows:

<u>Purpose</u>	Borrowing Amount	Maximum Useful Life
New Engine Pump	\$575,000	_20_Years
3-4 Ton Pick Up	\$85,000	7Years
truck with lift gates		
and plows		

Board Administrator Marie A. Krepelka certified that the vote was taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice, prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time

of the meeting, that no deliberations or decision in connection with the subject matter of this vote were taken in executive session, all accordance with G.L. c.30A, §18-25 as amended.

Mr. Dunn moved approval.

SO VOTED (4-0)

3. For Approval: Request to Implement Optional Electronic Tax and Fee Billing System Dean Carman, Treasurer & Collector of Taxes

Mr. Carman asked the Board for its approval, under M.G.L. c. 60, § 3A (b), to begin an optional program for taxpayers to receive electronic bills. As part of our Phase II implementation of tax collection upgrades, the Treasury and Tax Collection Office is ready to implement a paperless billing option as a means for taxpayers to receive their Real Estate and/or Personal Property tax bills. He stated the Town could realize a cost savings of \$.07 per bill and payment transaction if switched to paperless billing and absorb the \$.25 ACH fee that is currently passed on to the customer.

Mr. Carmen stated this development will not only allow the Town to save money on printing and postage, it will also allow the constituent an eco-friendly alternative to receiving their bill, in the most efficient manner possible. As more and more individuals are receiving and paying their bills online, the Town of Arlington is always looking at ways to increase customer satisfaction and make the receiving and paying of bills as easy and convenient as possible.

Mr. Curro and Mr. Dunn stated they are delighted to see this happening.

Mr. Byrne moved approval.

SO VOTED (4-0)

4. Vote: Dangerous Dog Hearing Requested Douglas W. Heim, Town Counsel

Mrs. Mahon moved receipt of request to conduct a dog hearing regarding a dangerous dog at 26 Magnolia Street.

SO VOTED (4-0)

CONSENT AGENDA

- 5. Minutes of Meetings: June 19, 2017
- 6. Request: Special (One Day) Beer & Wine License, 8/5/17 @ Whittemore Robbins House for a Private Event Queior and Glicksman Wedding
- 7. Request: Special (One Day) Beer & Wine License, 8/6/17 @ Whittemore Robbins House for the Cyrus Dallin Art Museum's Summer Soiree Fundraiser Geri Tremblay, Cyrus Dallin Board of Trustees
- 8. Reappointments: Arlington Preservation Fund (terms to expire 8/31/2020)
 Clark Griffith
 Patrick Guthrie
- 9. Request: Contractor/Drainlayer License Cavalieri Construction Company, Inc., Everett, MA

10. Appointment of New Election Workers: (1) Fernando Cuervo-Torello, 40 Columbia Road, D, Pct. 19; (2) Nicolas Cuervo-Torello, 40 Columbia Road, D, Pct. 19; (3) Julia Devlin, 354 Mystic Street, U, Pct. 13; (4) Patricia Kenna, 60 Hathaway Circle, U, Pct. 18; (5) Karen Lambrych, 53 School Street, D, Pct. 21; (6) Nora Maher, 64 Maynard Street, D, Pct. 21; (7) Mary Torpey, 975 Massachusetts Avenue, U, Pct. 13; (8) Anne Whitney, 19 Washington Avenue, D, Pct. 19

Mrs. Mahon moved approval subject to all conditions as set forth.

SO VOTED (4-0)

PUBLIC HEARINGS

11. 7:15 p.m. National Grid Petition/Wright Street (Public Way)
Michael Gerling, Permit Representative
(all abutters notified)
(tabled from 6.19.17 meeting)

Mr. Dunn made a motion not to approve said request, but asked that it be referred to the Engineering Department for further detail clarification as to whether it is a public way or private way.

SO VOTED (4-0)

- 12. 7:15 p.m. Spring Road (3 Spring Rd. to 15 Spring Rd.)
 - a) Request: Repair to Private Way
 - b) Betterment Order

Mark Felix, 11 Spring Road

Mary Morgan, 8 Sutherland Road appeared before the Board asking that they do not approve said request. She feels it only needs the potholes filled and not a new roadway.

None of the petitioners that requested repairs to the Private Way appeared before the Board. Mr. Dunn moved to table to a future Selectmen's meeting when the petitioners could be present to express their approvals of the private way repair.

SO VOTED (4-0)

LICENSES & PERMITS

13. Request: Common Victualler License

The Granolabowl Cafe, 1346 Massachusetts Avenue, Emily Patel Shared Retail Space with Arlington ArtLounge

Ms. Patel stated that the Granolabowl has been slowly and steadily growing over the years and they are looking to make the move to Arlington. Selectman Byrne stated that he liked that they were working closely with ArtLounge to make this cafe space work. He stated he hoped other people would do similar things down the road. Mr. Curro stated that the business would help insert vibrancy in Arlington Heights.

Mr. Byrne moved approval.

SO VOTED (4-0)

14. Approval: Draft Liquor License Suspension Decision

Douglas W. Heim, Town Counsel

Restaurants:

a) Duet, 190 & 192 Massachusetts Avenue

Mrs. Mahon recommended a three day suspension to be carried out after the decision is finalized.

SO VOTED (4-0)

b) Zhu's Garden, 166 Massachusetts Avenue

Mrs. Mahon recommended a three day suspension to be carried out after the decision is finalized.

SO VOTED (4-0)

Package Store:

c) Alexander Liquors, 94B Summer Street

Douglas W. Heim, Town Counsel

After the June 19th meeting, Mr. Kushnirsky obtained Attorney William Kelly who asked the Board for reconsideration. He stated that Mr. Kushnirsky implemented ten (10) changes since he met with the Board on June 19th when the Board voted to revoke the liquor license. Attorney Kelly noted that a new guide was created and given to employees outlining policies for selling alcohol and the Point of Sale system. Mrs. Mahon expressed many concerns over these documents and stated that all POS systems have an ID check built in and this also allows businesses to record relevant information from ID's as well.

Selectmen Dunn stated that he liked the changes proposed but he currently had very little trust and faith in Mr. Kusknirsky to implement these changes. Mr. Dunn stated he was still not convinced that Mr. Kushnirsky can run the business and asked that a new manager and new license holder be put in place. Mr. Curro stated that the Board had already educated Mr. Kushnirsky several times before with two violations for underage sales of tobacco and this alcohol compliance check failure as well as an incident involving marijuana.

The Selectmen voted 2-2 with Mrs. Mahon and Mr. Curro voting to revoke the license and Mr. Dunn and Mr. Byrne voting against revoking the license. The Board than voted to table the decision until a later date decided by Chairman Curro, Attorney Kelly and Town Counsel Heim.

SO VOTED (4-0)

CITIZENS OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

No matters were presented for consideration of the Board.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

Request for Approval: Grove Street Crosswalk Referral to TAC

 Adam W. Chapdelaine, Town Manager

 Mr. Byrne moved approval.
 SO VOTED (4-0)

16. Request for Approval: Stop Sign at Venner Road/Concord Turnpike Adam W. Chapdelaine, Town Manager

Mrs. Mahon moved approval.

SO VOTED (4-0)

17. Request for Approval: Electric Vehicle Parking Designation in Russell Common Lot Adam W. Chapdelaine, Town Manager

Mr. James Feeney, Assistant Town Manager, on behalf of the Town Manager asked for the Board's consideration to designate electric vehicle (EV) parking spaces in the Town's largest parking lot -- the Russell Common Lot. The requested spaces would be demarcated with signage and pavement markings in conjunction with the proposed installation of level-2 electric vehicle suup.y equipment (EVASE), known more colloquially as an electric vehicle charging station, at the same lot as detailed herein. Specifically, the request is for two adjacent parking spaces to be designated as Electric Vehicle Parking Only White Charging and enforceable as such under Article V: Parking, of the Town of Arlington Traffic Rules and Orders. The spaces would be proximal to those in the southwest ell currently designated for Zipcar use and conveniently located nearest the Jefferson Cutter House and the business district.

The Board is aware that the Town has long been committed to purchasing fuel-efficient fleet vehicles, with a corresponding recent trend towards hybrid and battery EVs. Similarly, public EV ownership is on the rise locally. Taken together, this creates an increased demand for mixed-use EV charging infrastructure, especially as this rising trend is predicted to continue in the foreseeable future. This initiative reinforces the Town's ongoing commitment to reducing its own greenhouse gas emissions through expanded EV infrastructure and supports the greater Arlington community in the same endeavor. Moreover, the availability of this amenity will make the core Arlington Center business district more inviting for EV drivers as the noted parking spaces and EVSE would not only be available to Town employees, businesses and nearby residents, but also more widely available for use by the general public as they conduct business. A capital appropriation was made during FY17 at the request of the Parking Implementation and Governance Committee to pursue the installation of a charging station. In an effort to leverage the capital funds, we successfully sought a Massachusetts Electric Vehicles Incentive Program (MassEVIP) grant through MassDEP in the amount of \$3105.00, which will cover 50% of the EVSE equipment costs if approved for installation.

The desired EVSE is from the CT4000 family manufactured by Charge Point. Charge Point operates an open network linking EV drivers with charging spots across the nation, including the spots available at Whole Foods in Arlington and the Alewife MBTA Station in Cambridge. This EVSE is unique in that it operates via a widely available mobile app that provides a smart, networked solution for use, energy, cost and revenue monitoring. Given the networked capacity, the Town will have the ability to set pricing policy relative to current energy market conditions in order to cover the cost of providing the amenity to the public. It is worth noting current parking meter rates (\$.50/hr.) will still apply. The EVSE would be bollard mounted, providing ports and cord management for two EVs at a time, and the designated parking spots would be striped and signed in accordance with industry standards. As a measure of EV-readiness, it is worth noting the underground electrical conduit will be oversized to accommodate possible system expansion in the future should the number of EVs, and the resultant demand for EVSE, continue to rise locally.

This corresponding amendment to Traffic Rules and Orders, Article V: Parking, discussed above will be necessary to ensure the spots are available for the intended use via an enforceable parking restriction:

<u>Voted:</u> That Article V, Section 15D of Traffic Rules and Orders be and is hereby amended as follows to add designated electric vehicle parking spaces:

Section 15D. REGULATIONS IN MUNICIPAL PUBLIC PARKING PLACES

- (a) All existing statutes, rules, orders or regulations relative to the operation or use of vehicles shall apply insofar as they are applicable to Municipal Parking Places leased, owned or in any way under the control of the Town.
- (b) TRANSFERRING MERCHANDISE IN MUNICIPAL PUBLIC PARKING PLACES PROHIBITED No vehicle used or designed for the transportation of goods, wares, or merchandise shall park or stop in any parking area owned, leased or in any other way under the control of the Town for the purpose of loading or unloading, exchanging or transferring from or to said vehicle, goods wares or merchandise.
- (c) PARKING OF COMMERCIAL VEHICLES LIMITED TO TWO (2) HOURS No person shall park a trailer, tractor or any other vehicle specially designed for construction purposes or equipped to transport any materials or personal property and which vehicle has a maximum carrying capacity of over two thousand pounds within any public parking place at any time except that vehicles of the semi-convertible passenger type shall be permitted to park for a period not to exceed two (2) hours in any Municipal Public Parking Place owned, leased or in any other way under the control of the Town, unless express permission for special parking privileges is obtained from the Board of Selectmen.
- (d) In any Municipal Public Parking Place owned, leased or in any other way under the control of the Town, whether or not parking meters are installed therein, motor vehicles shall park wholly within a parking space duly designated for the parking of a vehicle by lines painted on the surface of the roadway and at no other place within said Municipal Public Parking Place.
- (e) No parking in a town-owned lot that is posted for permit parking only, from 1:00 am through 7:00 am. Permit required
- (f) No person shall stop, stand or park any vehicle other than an electric vehicle actively utilizing an electric vehicle charging station within any parking space marked or signed as reserved for "Electric Vehicle Parking Only While Charging."

Mr. Dunn moved approval.

SO VOTED (4-0)

- 18. Request for Approval: Parking Benefit District
 - a) Approval of District Map

Mr. Dunn moved approval.

SO VOTED (4-0)

b) Endorsement of District Spending Priorities Adam W. Chapdelaine, Town Manager

Designing Improvements to Russell Common Lot including out not limited to lot layout, lighting, and tree canopy. This ffort will also include designing improvements to Park Perrace, which connects the Russell Common Lot to Medford Street Design Improvement to the Railroad Lot with a focus on ighting improvements. Part of this effort may include mmediate replacement of broken light fixtures in the lot.	Estimated Cost \$40,000
out not limited to lot layout, lighting, and tree canopy. This ffort will also include designing improvements to Park Perrace, which connects the Russell Common Lot to Medford Street Design Improvement to the Railroad Lot with a focus on ighting improvements. Part of this effort may include	\$40,000
ighting improvements. Part of this effort may include	\$40,000
ighting improvements. Part of this effort may include	
	¢20,000
	\$20,000
mplementing short-term improvement to Broadway Plaza. This effort will include improved/consolidated trash eceptacles, new or refurbished benches, and removal of oot buckled granite tree planters. General improvements to ccessibility throughout the plaza will also be included in his effort.	
nis error t.	\$20,000
mplementing a regular sidewalk sweeping/cleaning rogram.	400.000
	\$20,000
mplementing enhanced sidewalk snow removal.	\$25,000
Repairing/replacing pedestrian scale lighting throughout the orridor where possible.	720,000
	\$25,000
Total	\$150,000
Proposed Future Investments	

Mr. Dunn moved approval.

SO VOTED (4-0)

19. Consideration and Vote: Climate Change Pledge Joseph A. Curro, Jr., Chair

Mr. Dunn moved approval to sign endorsement to continue to support climate action to meet the Paris Agreement.

SO VOTED (4-0)

the Russell Common Lot and the Railroad Lot, improving pedestrian access in and around Arlington Center, further improving the functionality of Broadway Plaza, improving bike amenties and

facilities in Arlington Center, and investing in district beautification.

CORRESPONDENCE RECEIVED

Request Return to 1 Hour Parking in Front of Arlington Chiropractic
Gregory Bauer, DC
The Board voted to send Dr. Bauer's letter to the Parking Implementation Governance
Committee.

SO VOTED (4-0)

Resignation from Zoning Board of Appeals Suzanne Spinney

Island at Intersection of Route 2 and Pleasant Street Cathleen Dwyer, 128 Pleasant Street

Mrs. Mahon moved receipt of Correspondence Received.

SO VOTED (4-0)

NEW BUSINESS

Mrs. Krepelka reminded the Selectmen of two items: 1) Polls open at 7:00 AM for the Special State Election and 2) Goal Setting Meeting this Saturday at 8:00 AM.

Mr. Heim reported that Alan Mandl, Assistant City Solicitor of Newton, is leading the charge for several communities, including Arlington, in opposing the Department of Public Utilities reform changes in solar purchasing power agreements. The Department of Public Utilities reform decreases the net metering credits in existing and new solar purchasing power agreements. Mr. Heim stated that the House and Senate are in favor of having recreational marijuana usage decided by municipalities by way of a ballot vote. There is legal discussion under review regarding this and he will keep the Selectmen informed.

Mr. Chapdelaine reported that the Community Choice Aggregation opt out is closed and that Good Energy has summarized that out of 18,462 accounts: 1,807 (less than 10%) opted out of the program; 189 participants opted to increase to the 100% green option; 43 participants opted to increase to the 50% green option and 70 participants opted to decrease to the basic option. The results are normal on less than 10% opting out of the program, but are higher for opting up to greener options.

Mr. Dunn stated at a recent Minuteman Meeting that Sue Sheffler was elected Vice Chair. With the turnover of Towns leaving it has created a change in the Board which he sees as a favorable new chapter for the school. He also stated that weighted voting begins and Arlington has 24.68% of the vote because of the 39% enrollment of students from Arlington at Minuteman.

Mrs. Mahon moved to adjourn at 10:00 P.M.

SO VOTED (4-0)

A true record attest:

Marie A. Krepelka Board Administrator 7-24-17

Agenda Item	Documents Used
1	Proclamation: Police Officer Matthew Riley
2	Vote: Determination of the Maximum Useful Life of Two Planned FY 2018 Capital Asset Purchases To Be Financed – Dean Carman, Treasurer & Collector of Taxes
3	For Approval: Request to Implement Optional Electronic Tax and Fee Billing System Dean Carman, Treasurer & Collector of Taxes
4	Vote: Dangerous Dog Hearing Requested – 26 Magnolia Street
5	Minutes of Meetings – June 19, 2017
6	Request: Special (One Day) Beer & Wine License, 8/6/17 @ Whittemore Robbins House For a Private Event – Quelor and Glicksman Wedding
7	Request: Special (One Day) Beer & Wine License, 8/6/17@Whiteemore Robbins House for the Cyrus Dallin Art Museum's Summer Soiree Fundraiser Geri Tremblay, Cyrus Dallin Board of Trustees
8	Reappointments: Arlington Preservation Fund (terms to expire 8/31/2020) Clark Griffith, Patrick Guthrie
9	Request: Contractor/Drainlayer License, Cavaliere Construction Company, Inc. Everett, MA
10	Appointment of New Election Workers
11	Nation Grid Petition/Wright Street (Public Way)
12	Spring Road (3 Spring Rd. to 15 Spring Rd. a). Request: Repair to Private Way, b) Betterment Order, Mark Felix
13	Request: Common Victualler License, The Granolabowl Care, 1346 Mass. Ave., Emily Patel
14	Approval Draft Liquor License Suspension Decision - Doug Heim, Town Counsel Restaurants: a) Duet, 190 & 192 Mass. Ave., b) Zhu's Garden, 166 Mass. Avenue Package Store, c) Alexander Liquors, 94 B Summer Street
15	Request for Approval: Grove Street Crosswalk Referral to TAC Adam W. Chapdelaine, Town Manager
16	Request for Approval: Stop Sign at Venner Road/Concord Turnpike Adam W. Chapdelaine, Town Manager
17	Request for Approval: Electric Vehicle Parking Designation in Russell Common Lot Adam W. Chapdelaine, Town Manager
18	Request for Approval: Parking Benefit District a) Approval of District Map, b) Endorsement of District Spending Priorities Adam W. Chapdelaine, Town Manager
19	Consideration and Vote: Climate Change Pledge Joseph A. Curro, Jr., Chair
Corr. Rec'vd	 Request Return to 1 Hour Parking in front of Arlington n Chiropractic Gregory Bauer, DC Resignation from Zoning Board of Appeals, Suzanne Spinney Island at Intersection of Route 2 and Pleasant Street
	Cathleen Dwyer, 128 Pleasant Street

TOWN OF ARLINGTON BOARD OF SELECTMEN Meeting Minutes

Monday, August 7, 2017 7:15 PM

Present: Mr. Curro, Chair, Mrs. Mahon, and Mr. Dunn Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Krepelka

Absent: Mr. Byrne, Vice Chair, and Mr. Greeley

FOR APPROVAL

Verizon Cable License Renewal
 John Maher, Chair, Cable Advisory Committee
 Adam W. Chapdelaine, Town Manager
 Douglas Heim, Town Counsel

The Board of Selectmen, as issuing authority for the Town of Arlington and Verizon New England Inc. of Massachusetts, as a cable television licensee in Arlington, have mutually agreed to grant a five (5) year Renewal License commencing on August 7, 2017 and expiring on August 6, 2022.

Mr. Dunn moved approval.

SO VOTED (3-0)

CONSENT AGENDA

- 2. Appointment: Zoning Board of Appeals, Associate Member to Voting Member Shawn O'Rourke (term 9/15/17 10/1/20)
- 3. For Approval: Arlington Center for the Arts, Open Studios' Pole Banners Linda Shoemaker, Arlington Center for the Arts Executive Director
- 4. Request: Special (One Day) Beer & Wine License, 9/16/17 Town Day Beer Garden Kevin F. Greeley, Selectman
- 5. Request: Special (One Day) Beer & Wine License, 9/23/17 @ Robbins Memorial Town Hall for a Private Event Tovar and Bascuas Wedding
- 6. Appointment of New Election Workers: (1) Patricia Costa, 82 Milton Street, D, Pct. 17; (2) Julie Foran, 5 Reed Street, UI, Pct. 19

Mr. Dunn moved approval subject to all conditions as set forth.

SO VOTED (3-0)

PUBLIC HEARINGS

7:15 p.m. Alcohol Compliance Hearing
Package Store:
a) Prime, Your Local Butcher (EPW, LLC), 1398 Massachusetts Avenue
Douglas W. Heim, Town Counsel

Attorney Mary Winstanley O'Connor represented Peter Weissman, a managing partner of EPW LLC, which owns Prime. Attorney O'Connor stated that since the compliance check failure all employees of

Prime were retrained and the employees who failed to ask for an ID were written up. Prime has now expanded on their policy regarding checking IDs, adding more information about who employees should ID and what kinds of IDs they need to see. Mr. Weissman stated that all new employees receive training and all his employees are retrained quarterly.

Mr. Dunn stated to Mr. Weissman that training is important to him and appreciated the steps he has taken to ensure its implementation.

Mr. Curro encouraged Mr. Weissman to participate in a program run by the Arlington Youth Coalition called "Sticker Shock". Ivy Schmalzried, Director of AYHSC, has stated that the national program has been in effect in Arlington for many years. Attorney O'Connor stated that her client was willing to participate in the program.

Mr. Dunn recommended a three day suspension to be carried out in four weeks after the decision is finalized.

SO VOTED (3-0)

APPOINTMENTS

8. Appointment: Poet Laureate
Catherine Desjardins (term to expire 7/31/2018)

Ms. Desjardins stated she thinks everybody could love poetry if they gave it a chance.

Ms. Desjardins said her love of poetry stems from family get-togethers where they would all sit around and read and play songs on the piano. During her tenure as poet laureate, Ms. Desjardins has an idea of where poetry can take the Town of Arlington. She wants to hold poetry sessions with groups that already meet in town, hold programs at the library and even put together a book of people's favorite poems. One of her goals is to give everyone a chance to engage with poetry and return to their childhood joy of language, rhyme and rhythm.

Mr. Dunn moved approval. SO VOTED (3-0)

LICENSES & PERMITS

9. Request: Common Victualler License Dunkin Donuts, 101 Broadway, James Angiolillo/John Angiolillo/ Christopher Angiolillo/Mohamed Hiaoui

Mrs. Mahon moved approval subject to all conditions as set forth.

SO VOTED (3-0)

CITIZENS OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

Joanne Preston, Mystic Lake Drive, discussed how none of the neighbors were notified that the Appeal Hearing had been rescheduled. She stated that the developer can change their minds as to when the hearing is but the neighbors are left to constantly check the Agenda for the BOS Meetings. She stated residents were notified via a sign posted on the tree.

Mr. Dunn told Ms. Preston that everyone who should be notified will be notified for the rescheduled hearing.

Lauren Dowley, 54 Hutchinson Road voiced her concerns about speeding on Hutchinson Road. She feels that residents use the street as a cut through traveling at excessive speed.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

10. For Approval: Sidewalk Treatment "Buy-Up" - Historic Districts Adam W. Chapdelaine, Town Manager

Mr. Chapdelaine stated recently the issue of sidewalk treatment in Historic Districts has been discussed. Most recently, when DPW attempted to reconstruct Academy Street with new concrete sidewalks, some of the property owners on that street objected. Their desire was to have brick walks rather than concrete. The dispute has left the project in limbo for at least three years now. The major difficulty with regard to this topic is twofold; the cost of constructing and maintaining brick sidewalks, and the issue of accessibility and brick surfaces.

Understanding that there are challenges associated with brick surfaces, there is still a desire to provide options to property owners in Historic Districts when it comes to the sidewalk material. One such option which has gained some momentum would be to allow property owners in an Historic District to "buy up" to a sidewalk treatment other than concrete (or asphalt). "Buying up" would essentially mean the property owner would pay the cost difference between a concrete sidewalk and an agreed upon sidewalk alternative. The treatment options still need to be ironed out but for discussion I propose the following:

- During the planning of paving and sidewalk construction projects, DPW Engineering will inform the Historic Districts Commission (HDC) of the proposed work.
- The HDC will reach out to the property owners within the proposed project limits and inform them of the work. At the same time, requesting a response from each location which would desire to "buy up" to a different sidewalk treatment.
- The HDC would then, through an agreed upon formal process, inform DPW Engineering of the property owners interested in the program.
- DPW Engineering would then meet with each interested party to outline what can be accomplished given possible ADA or geometric constraints.
- If a plan is agreed upon between DPW Engineering and the property owner, the property owner would submit fee to the Town for the "buy up" amount.
- DPW Engineering coordinates the work with its Contractor

A rigid schedule will need to be established to accomplish the above as complications will arise if these steps are taken in a last minute fashion.

Mr. Dunn moved approval.

(SO VOTED (3-0)

CORRESPONDENCE RECEIVED

Request Reconsideration of Parking Ticket Appeal Fee

Joan M. Pirrello, 48 Wildwood Avenue

The Board referred Ms. Pirrello's lettter to the Town Treasurer, Parking Clerk for review.

Speeding Traffic Concern on Hutchinson Road

Lauren Dowley via Request/Answer Cente

The Board referred Ms. Dowley's letter to Town Manager Chapdelaine for review and recommendations.

Request One Space On Street Overnight Parking at or near 97 Bow Street

Aine Minogue, 97 Bow Street

The Board referred Ms. Minoque's letter to the Engineering and Police Departments for review and recommendations.

Problems with Certain MBTA Bus Stop Markings in East Arlington

Catherine King, 215 Massachusetts Avenue

The Board referred Ms. King's letter to the Town Manager for review.

Mrs. Mahon moved receipt of Correspondence Received.

SO VOTED (3-0)

NEW BUSINESS

Mr. Chapdelaine thanked the Board for attending the goal setting meeting last Saturday morning.

Mr. Curro wished the Board's very best wishes to Steven Byrne and Jacki Doherty on their upcoming wedding on Saturday, October 19th.

Mrs. Mahon moved to adjourn at 8:20 p.m.

SO VOTED (3-0)

A true record attest:

Marie A. Krepelka Board Administrator

8-7-17

Agenda Item	Documents Used	
1	Verizon Cable License Renewal, John Maher, Chair, Cable Advisory Committee	
2	Appointment: Zoning Board of Appeals, Associate Member to Voting Member	
	Shawn O'Rourke (term 9/15/17 - 10/1/20	
3	For Approval: Arlington Center for the Arts, Open Studios' Pole Banners	
	Linda Shoemaker, Arlington Center for the Arts Executive Director	
4	Request: Special (One Day) Beer & Wine License, 9/23/17 Town Day Beer Garden	
	Kevin F. Greeley, Selectmen	
5	Request: Special (One Day) Beer & Wine License, 9/23/17 @Robbins Memorial Town Hall for a	
	Private Event - Tovar and Bascuas Wedding	

6	Appointment of New Election Workers: (1) Patricia Costa, 82 Milton Street, D, Oct. 17, (2) Julie
	Foran, 5 Reed Street, UI, Pct. 19
7	Alcohol Compliance Hearing
	Package Store: a) Prime, Your Local Butcher (EPW, LLC), 1398 Mass. Avenue
	Douglas W. Heim, Town Counsel
8	Appointment: Poet Laureate
	Catherine Desjardins (term to expire 7/31/2018)
9	Request: Common Victualler License - Dunkin Donuts, 101 Broadway
	James, John, Christopher Angiolillo and Mohamed Hiaoui
10	For Approval: Sidewalk Treatment "Buy-Up" Historic Districts
	Adam W. Chapdelaine, Town Manager
Corr. Rec'vd	Request Reconsideration of Parking Ticket Appeal Fee
	Joan M. Pirrello, 48 Wildwood Avenue
	2. Speeding Traffic Concern on Hutchinson Road
	Lauren Dowley, 54 Hutchinson Road
	3. Request One Space on Street Overnight Parking at or near 97 Bow Street
	Aine Minogue, 97 Bow Street
	4. Problems with certain MBYA Bus Stop Markings iin East Arlington
	Catherine King, 215 Massachusetts Avenue



Town of Arlington, Massachusetts

For Approval: Lexington's Nomination for At-Large Metropolitan Planning Organization Seat

Summary:

Richard Canale

ATTACHMENTS:

Type File Name Description

Reference Material Boston_MPO.pdf Statement of Candidacy and Nomination Papers

2017 MPO Statement of Candidacy

(250 Word Limit)

Municipality: Lexington

Chief Elected Official: Suzie Barry, Chairman, Lexington Board of Selectmen

(Suggestions include a brief statement of qualifications; comments on the importance of transportation to the region; and expectations for the Boston Metropolitan Planning Organization)

Lexington seeks re-election to the Boston MPO

Lexington is seeking re-election to the Boston MPO at-large Town membership term that will begin in November, 2017. Lexington has made positive contributions to the MPO regional transportation planning and programming activities and results. Lexington has a 100 % attendance/participation record at MPO meetings.

Lexington continues its deep interest and significant record in regional transportation issues. Lexington is bisected by Route 128 and is at the edge of the T's service area. Our residents (and thousands of others who work in Lexington) rely on both transit and roadway infrastructure to get around the metropolitan area. We are oriented equally towards both Boston and to the outer suburbs. As a MAGIC subregion member, we understand transportation needs of developing and mature suburbs.

Lexington is at the forefront in local transit services and bikeways, especially in our local Lexpress mini-bus system, and the Minuteman Commuter Bikeway. Lexington collaborates with area towns in improving inter-town transit services, and participates in public/private partnerships.

Suzie Barry, Selectmen Chair, will continue to designate Richard Canale, Planning Board member, to represent Lexington. Richard, the current designee to the Boston MPO, is a former Advisory Council chair, and served on the Boston MPO (FFY02/03) as the Council's representative. He directly understands MPO member responsibilities and need for regional collaboration/solutions. He impartially represents all 101 MPO communities while ensuring that the needs and voices of the 78 MPO towns are fairly represented. Richard advocates for strong public participation, equity, transparency, and consistency.

2017 MPO Election Nomination Papers

Nominated Community LEXINGTON	Name of Chief Elect Official Suzie Barry	ted Signature
Open MPO Seat Community is Running For (only check one)	North Sh Task For Seat	
	City Sea	t X Town Seat
	Endorsers	
Nominating Community	Name of Chief Elect Official	ted Signature

Individual endorsements may be attached as a separate letter but must specify the municipality and the official being nominated and must be signed by the chief elected official of the endorsing community.

Please return in person or by mail By 5 PM on Friday, September 29, 2017 to: Marc Draisen, Executive Director Metropolitan Area Planning Council 60 Temple Place Boston, MA 02111

Phone inquiries to Eric Bourassa, MAPC (617) 933 -0740 Paul Regan, MBTA Advisory Board (617) 426-6054



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 9/21/17 @ Kickstand Cafe for 'Happy Birthday Kickstand'

Summary:

Lori Uhland

ATTACHMENTS:

Type File Name Description

□ Reference Material Kickstand_Cafe_special_Application.pdf Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: LORI UHLAND
Address, phone & e-mail contact information: orivhand a stage right ori. com
Name & address of Organization for which license is sought: Kickstand Cafe 594 Wass Ave Arlinston
Does this Organization hold nonprofit status under the IRS Code? Yes No
Name of Responsible Manager of Organization (if different from above):
Address, phone & e-mail contact information: 74 33 610
Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? If so, please give date(s) of Special Licenses and/or applications and title of event(s)
Is this event an annual or regular event? If so, when was the last time this event was held and at what location?
24-Hour contact number for Responsible Manager of Alcohol Event date: 781 999 1431 Lori
Title of Event: Happy Firthday Kickstand
Date/time of Event: Thursday Sept 21 2017 7-10 pm
Location of Event: Kickstand Cafe
Location/Event Coordinator: Lori Uhland
Method(s) of invitation/publicity for Event: Gocial Modia

Number of people expected to attend: 80
Expected admission/ticket prices:
Expected prices for food and beverages (alcoholic and non-alcoholic):
Will persons under age 21 be on premises?
If "yes," please detail plan to prevent access of minors to alcoholic beverages. Devery ove
Have you consulted with the Department of Police Services about your security plan for the Event?
OFFICE USE ONLY
For Police Chief, Operations Commander, or designee:
Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.
Date
Printed name/title
POLICE COMMENTS:
What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.) What types of food and non-alcoholic beverages do you plan to serve at the Event? SNACKS AND PASTY Who will be responsible for serving alcoholic beverages at the Event?
What training or certification in responsible alcohol service does this person have? Please attach
certificate or other proof of training for at least one person who will have responsibility for serving
I am I'ms cest, and will be resportable
alcoholic beverages at each point of service and who will be present for the entire Event. From TiPs cest. and will be responsible for on listing snother TiPs server for the entire Event.
Tegorose.

Please list the names and dates of birth for all people who will be responsible for serving alcoholic
beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.
Lon Unland
Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)
Date of Delivery: 9/81/17 Alcohol Serving Time (s): 7:00 pm
How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of? How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of? Date of Pick-Up: Olando Vegular recycling
Date of Pick-Up: 9/20/11 W/ regular recycling
Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)
Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete
information may delay the processing of your application.
I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:
Signature:
Printed name: Lory Ohland
Printed title & Organization name: Stage Right, home tevents Email: Ori Uhland a Stage right long com
Email: lori uhband a stage right lori, com

Do not click Back-Space to leave this window

Certificate of Completion

This Certificate of Completion of

eTIPS On Premise 2.0

For coursework completed on February 24, 2016 provided by Health Communications, Inc. is hereby granted to:

Lori Uhland

Certification to be sent to:

Something Savory LLC
1337 Massachusetts Ave
Arlington MA , 02476-4101 USA



This document is ma proof of 1108 certification. It signifies only that you have completed the course. Valid certification document





Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 9/22/17 @ Smith Museum, Jason Russell House for Arlington Historical Society Wine Reception

Summary:

George Parsons, Trustee

ATTACHMENTS:

Type File Name Description

Reference Material Arlington_Historical_Society_Special_Application.pdf Application

Arlington_Historical_Society_Special_Application.pdf Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Arlington Historical Society, I Jason 54. Arlington
Address, phone & e-mail contact information: George Porsons, 23 Brewster Rd. Arlington, MA 02476 617-823-7259 ghporsons@MSN.com
Name & address of Organization for which license is sought:
Does this Organization hold nonprofit status under the IRS Code? Yes No
Name of Responsible Manager of Organization (if different from above):
Address, phone & e-mail contact information: 7 Kensington Pork, Address, MA 02476
Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? If so, please give date(s) of Special Licenses and/or applications and title of event(s)
Is this event an annual or regular event? If so, when was the last time this event was held and at what location? Yes. Sept. 30, 2016 Smith Museum, Joson Russell House.
24-Hour contact number for Responsible Manager of Alcohol Event date: Cesses 617.873.725
Title of Event: Adington Historical Jaciety Wine Reception
Date/time of Event: reiday. Sept. 22, 2817 5:30 p.m.
Location of Event: Smith Museum, Jason Russell House
Location/Event Coordinator: George Parsons / William Lyons
Method(s) of invitation/publicity for Event: licket Sales Postcards, On line

Number of people expected to attend:
Expected admission/ticket prices:
Expected prices for food and beverages (alcoholic and non-alcoholic):
Will persons under age 21 be on premises?
If "yes," please detail plan to prevent access of minors to alcoholic beverages.
Have you consulted with the Department of Police Services about your security plan for the Event?
OFFICE USE ONLY
Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event. Date 9-5-/7 Printed name/title
Monotomy Grill cannot remove or store excess clochol on premises at 25 Mass Ave.
What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)
What types of food and non-alcoholic beverages do you plan to serve at the Event?
Who will be responsible for serving alcoholic beverages at the Event? Newbory Grill - Tayer 181-648-1775 25 Mass. Due. Arlington, MR 02474
What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.
TIPS Certified Bartender

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.
Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)
Date of Delivery: Sept. 22, 2017 Alcohol Serving Time (s): S: 30 p.m. to
How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of? Merotomy Grill Tauero will remove and return any excess alcoholic beverages to Horizon Bayerage.
Date of Pick-Up: Sept. 22, 2017
Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)
Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.
I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:
Signature: Milliam H. Gypus
Printed name: MIMIAM H. LYONS
Printed title & Organization name: Board Member Art Historical Society
Email: William Lyons at live. com

This is your Official TIPS' Certification Card. Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Congratulations!

By successfully completing the TIPS (Training for Intervention ProcedureS) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or colleagues by using the techniques you have learned and taking a positive

approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-524-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

Sincerely,

Adam F. Chafetz President, HCI

IMPORTANT: Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS. For assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

reTIPS On Premise 2.0

SSN:

XXX-XX-XXXX

7/15/2015 Issued: 4036785

Expires:

7/15/2018 XXXXXXXXX

ID#:

D.O.B.:

Cassandra L McIsaac 18 Mondamin Ct Somerville, MA 02143-3610

For service visit us online at www.gettips.com

HEALTH COMMUNICATIONS INC. 1400 Key Blvd., Suite 700 Arlington, VA 22209 703-524-1200 www.gettips.com

This card was issued for successful completion of the TIPS program.

SECURITY PLAN FOR ARLINGTON HISTORICAL SOCIETY WINE RECEPTION

The Arlington Historical Society WINE RECEPTION is a fundraising event sponsored by the Arlington Historical Society. An organizing committee of twelve members of the organization is responsible for the event. George Parsons who is a Trustee and former member of the Board of Directors of that organization is the chair of the planning committee.

The event is scheduled for Friday night, September 22, 2017, 5:30pm to 8:30pm, at the Smith Museum at 7 Jason St. next to the Jason Russell House.

A One-Day Permit has been submitted to the Selectmen's Office.

This is the Security Plan.

Tickets will be sold online at Eventbright for the event. We anticipate approximately 100 people to attend. Guests will come and go during the duration of the party – it is not anticipated that everyone will be at the event at the same time. Only legal age adults will be allowed to attend.

As other people arrive at the bar they will be asked for an ID to verify their age by the bartenders if there is any question as to their age.

George Parsons will be the event coordinator for the event. Gregory Stathopoulos will be the custodian for the event. A committee of volunteers from the Arlington Historical Society will also be staffing the party. All these people will be responsible for ensuring that the event runs smoothly. Patsy Kraemer and Alan Jones are members of the Committee and have agreed to lend their experience in crowd control to the event.

A police detail will be hired for the event (if required). This officer will be available to help with any emergency situations that may arise.

Parking for the event will be available on Jason St. and on the side streets, as well as on Mass. Ave.

Please advise if there are other items that we need to consider.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/07/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

RODUCER

Quinn Group Insurance Agency, Inc.

CONTACT Ted Ward

NAME: TOWARD (781)483-3248

PRODUCER		CONTACT Ted Ward				
Quinn Group Insurance Agency, Inc.		TOTAL STATE OF THE	781)641-3223			
223 Massachusetts Ave.		E-MAIL Ted@quinngroupins.com				
		INSURER(S) AFFORDING COVERAGE	NAIC #			
Arlington	MA 02474	INSURER A: Selective of South Carolina	19259			
INSURED		INSURER B: Selective Of Southeas	39926			
MENOTOMY GRILL		INSURER C:				
25 MASSACHUSETTS AVE		INSURER D:				
		INSURER E :				
ARLINGTON	MA 02474-8602	INSURER F:				
COVERAGES CERTIFICATE N	NUMBER: CL17870846	5 REVISION NUMBER:				

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. ADDL SUBR POLICY EFF (MM/DD/YYYY) POLICY EXP (MM/DD/YYYY) TYPE OF INSURANCE POLICY NUMBER LIMITS COMMERCIAL GENERAL LIABILITY 1,000,000 EACH OCCURRENCE DAMAGE TO RENTED CLAIMS-MADE X OCCUR 500,000 PREMISES (Ea occurrence) \$ 5,000 S MED EXP (Any one person) S 2068722 05/01/2017 05/01/2018 1,000,000 PERSONAL & ADV INJURY 3,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: **GENERAL AGGREGATE** PRO-JECT 3,000,000 POLICY PRODUCTS - COMP/OP AGG LIQCC \$ 1,000,000 OTHER: COMBINED SINGLE LIMIT (Ea accident) **AUTOMOBILE LIABILITY** \$ 1,000,000 **OTUA YNA** \$ BODILY INJURY (Per person) OWNED SCHEDULED A 9099270 05/15/2017 05/15/2018 BODILY INJURY (Per accident). S AUTOS ONLY HIRED AUTOS NON-OWNED AUTOS ONLY PROPERTY DAMAGE × \$ AUTOS ONLY (Per accident) **EPAC** \$ UMBRELLA LIAB OCCUR **EACH OCCURRENCE EXCESS LIAB** CLAIMS-MADE **AGGREGATE** 5 DED RETENTION \$ \$ WORKERS COMPENSATION STATUTE AND EMPLOYERS' LIABILITY 500,000 ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) E.L. EACH ACCIDENT NIA WC 7993645 05/15/2017 05/15/2018 500,000 E.L. DISEASE - EA EMPLOYEE If yes, describe under DESCRIPTION OF OPERATIONS below 500,000 E.L. DISEASE - POLICY LIMIT OCCURANCE 1,000.000 LIQUOR LIABILITY S 2068722 05/01/2017 05/01/2018 **AGGREGATE** 3,000,000 DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) For Event on September 22, 2017

CERTIFICAT	E HOLDER		CANCELLATION
	Town of Arlington 730 Massachusetts Ave		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	Arlington I	MA 02476	1150

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Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 9/23/17 @ Whittemore Robbins House for a Private Event

Summary:

Carrie Marshall

ATTACHMENTS:

Type File Name Description

□ Reference Material Marshall_Special_License_Application.pdf Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Carrie Marshall					
Address, phone & e-mail contact information: 3319 Symmes Circle, Arlington, MA 02474 714-497-7377; marshacern@aol.com					
Name & address of Organization for which license is sought: NA					
Does this Organization hold nonprofit status under the IRS Code? YesX_ No					
Name of Responsible Manager of Organization (if different from above): Michelle Noska from Beaujolais Catering.					
Address, phone & e-mail contact information: 207 Broadway, Arlington, MA 02474; 617-519-6081; michelle@beaujolaiscatering.com					
Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? NO If so, please give date(s) of Special Licenses and/or applications and title of event(s).					
Is this event an annual or regular event? If so, when was the last time this event was held and at what location? NO. One time event.					
24-Hour contact number for Responsible Manager of Alcohol Event date: 617-519-6081					
Title of Event: Carrie Marshall Wedding					
Date/time of Event: September 23, 2017/3:30pm-8:00pm					
Location of Event: Whittemore Robbins House					
Location/Event Coordinator: Victoria Rose					
Method(s) of invitation/publicity for Event: Formal Invitation					
Number of people expected to attend: 60					

Expected admission/ticket prices: N/A

Expected prices for food and beverages (alcoholic and non-alcoholic): N/A

Will persons under age 21 be on premises? YES. 5 children ages 3, 5, 5, 14, 16

If "yes," please detail plan to prevent access of minors to alcoholic beverages. TiPS certified Bartender will follow the rules of certification.

Have you consulted with the Department of Police Services about your security plan for the Event? Yes

OFFICE USE ONLY
For Police Chief, Operations Commander, or designee:
Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event. Date 9-5-17 Printed name/title
POLICE COMMENTS:

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.) Beer and Wine

What types of food and non-alcoholic beverages do you plan to serve at the Event? Water and Soda. See attached Menu.

Who will be responsible for serving alcoholic beverages at the Event? Aldo D'Oliveira: bartender with Beaujolais Catering

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

TiPs Certified

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age. Aldo D'Oliveira. DOB May 27, 1968

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc) Atlas Liquors- Medford, MA.

Date of Delivery: Saturday, September 23 Alcohol Serving Time (s): 3:30pm-7:30pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of? Opened bottles will be put in the trunk of designated car by the responsible manager. Unopened will be picked up by Atlas Liquors.

Date of Pick-Up: Monday, September 25

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.) Find attached General and Liquor Liability and TiPs Certificate.

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: Carrie Marshall
Printed name: Carrie Marshall

Printed title & Organization name: Carrie Marshall Wedding

Email: marshacern@aol.com

Carrie Marshall

3319 Symmes Circle Arlington, MA 02474 marshacern@aol.com

17 August 2017

SECURITY PLAN FOR Carrie Marshall Wedding

A Wedding Reception will be held at the Whittemore Robbins House on Saturday, September 23, 2017 from 3:30pm-8:00pm. Alcohol service will end at 7:30pm.

A Special Alcohol License Application has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 60 guests to attend. There will five attendees under the age of 21. The range of ages is 3 years old to 16 years old.

Victoria Rose, Event Coordinator, will be on site to monitor the use of the Whittemore Robbins House. Beaujolais Catering will be catering the event and will provide both the food service and the TIPS certified bartender. Michelle Noska, Responsible Manager, Beaujolais' staff and bartender, Aldo D'Oliveira, and the event coordinator are all responsible for ensuring that the event runs smoothly.

Parking for the event will be available in the Whittemore Robbins House parking lot, and on the side streets, as well as Massachusetts Avenue.

Please advise if there are other items that we need to consider.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 4/12/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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certificate holder in lieu of such endors	seme	nt(s)						•
PRODUCER				CONTACT Commercial Lines				
Prescott and Son Insurance Agency, Inc.				PHONE (A/G, No. Ext): (781) 322-2350 FAX (A/G, No):				
963 Eastern Avenue			PHONE (A/C, No, Ext): (781) 322-2350 FAX (A/C, No): E-MAIL ADDRESS:					
				INSURER(S) AFFORDING COVERAGE				NAIC #
Malden MA 02:	L48		:	INSURER A:Ohio Security Ins Co				24082
INSURED				INSURE				
Michele Noska DBA; Beaujolai	s Ca	ter	ing					
207 A Broadway				INSURER C:				
				INSURE			100000	
Arlington MA 02	174			INSURE		-	*****	
	-0.1100-0-00	: ATF	NUMBER:CL1741225		KFi		REVISION NUMBER:	
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INDICATED. NOTWITHSTANDING ANY RI	EQUIR	EME	NT. TERM OR CONDITION	OF AN	Y CONTRACT	OR OTHER	DOCUMENT WITH RESPECT	TO WHICH THIS
CERTIFICATE MAY BE ISSUED OR MAY EXCLUSIONS AND CONDITIONS OF SUCH	PERT	AIN,	THE INSURANCE AFFORD	ED BY	THE POLICIE	S DESCRIBE	D HEREIN IS SUBJECT TO	ALL THE TERMS,
	ADDL	SUBR	LIMITS SHOWIN WAT HAVE	DECIN	POLICY EFF (MM/DD/YYYY)			
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A CLAIMS-MADE X OCCUR			6.3.05/332		1899 933 35	5 25 25 65 65	PREMISES (Ea occurrence) \$	300,000
			BKS56554619		4/9/2017	4/9/2018	MED EXP (Any one person) \$	15,000
	ļ.						PERSONAL & ADV INJURY \$	1,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE \$	2,000,000
X POLICY PRO-							PRODUCTS - COMP/OP AGG \$	2,000,000
OTHER:							Expense Mod Factor 1 \$	
AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT (Ea accident) \$	
ANY AUTO							BODILY INJURY (Per person) \$	
ALL OWNED SCHEDULED AUTOS							BODILY INJURY (Per accident) \$	
HIRED AUTOS NON-OWNED AUTOS							PROPERTY DAMAGE (Per accident) \$	
					a.		\$	
UMBRELLA LIAB OCCUR							EACH OCCURRENCE \$	
EXCESS LIAB CLAIMS-MADE							AGGREGATE \$	
DED RETENTION\$							\$	
WORKERS COMPENSATION							PER OTH-	
AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE	1 1000000						E.L. EACH ACCIDENT \$	
OFFICER/MEMBER EXCLUDED? (Mandatory In NH)	N/A						E.L. DISEASE - EA EMPLOYEE \$	
If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - POLICY LIMIT \$	
			DVGECEE ACTO		4/9/2017	4/9/2018	EACH OCCURENCE	\$1,000,000
A LIQUOR LIABILITY			BKS56554619		4/9/2011	4/9/2016		\$2,000,000
			Xii				AGGREGATE	\$2,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHI	CLES (ACOR	D 101, Additional Remarks Sche	dule, may	be attached if m	ore space is req	uired)	
Certificate Holeder name as							*************************************	į
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CERTIFICATE HOLDER				T	CELLATION			
				SHO	ULD ANY OF	THE ABOVE D	ESCRIBED POLICIES BE CAN	ICELLED BEFORE
Town Of Arlington				THE	EXPIRATION	N DATE TH	EREOF, NOTICE WILL BE	
730 Mass Avenue Arlington, MA 02474			ACC	ORDANCE W	ITH THE POLIC	CY PROVISIONS.		
			AUTHODIZED DEDDECENTATIVE					
			AUTHORIZED REPRESENTATIVE					
1				1			//	<i>a</i>

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J S Scholnick/MPB

This card was issued for successful completion of the TIPS program www.gemps.com 103-524-12

This is your Official TIPS® Certification Card.

Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Congratulations!

By successfully completing the TIPS (Training for Intervention ProcedureS) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or olleagues by using the techniques you have learned and taking a positive proach towards alcohol use.

If you have any information you think would enhance the TIPS program, or e can assist you in any way, please contact us at 703-524-1200. Thank you our dedication to the responsible sale and consumption of alcohol.

Sincerely,

Inc. by using the information provided on the teverse side of your certification IMPORTANT: Keep a copy of this card for your records. Write down card. There is a minimal charge for a replacement earth frour original card For assistance or additional information, contact Health Communications, your certification number because you will need it when contacting TIPS. becomes lost, damaged or stolen.

SSN: The eTIPS On Premise 2.0 6/6/2015 Issued:

4003613

XXX-XX-XXX 6/6/2018

XXXXXXXX Expires: D.O.B.:

Aldarico G de Oliveira

364 Reservoir ave Revere, IVA 02151

For service visit us online at www.gettips.com



Vicki Rose Vrose@arlington.k12.ma.us>

menu for Carrie

1 message

Michelle Noska <michelle@beaujolaiscatering.com>
To: Vicki Rose <vrose@arlington.k12.ma.us>

Fri, Aug 18, 2017 at 12:15 PM

Passed Hors D'oeuvres

Brie and Pear Phyllo Cups

Brown Sugar Chicken Bites with Roasted Red Pepper Sauce

Asian Crab Cakes with Spicy Soy Aioli

Kimchi Pork Wontons

Stationary Hors d'oeuvres

Crudités of Seasonal Vegetables with Dips

International and Domestic Cheese Platter with Crackers

Buffet Dinner

Mesclun Salad with Grilled Pears, Cranberries,

Toasted Pepitas and Maple Balsamic Vinaigrette

Pan Roasted Chicken with Spinach, Artichokes and Sundried Tomatoes Cream Sauce

Vegetarían Entrée: Chef's choice to be held on the side

Broccoli and Cauliflower Gratin

Garlic Rosemary Roasted Red Bliss Potatoes

Each meal includes Iggy's Rolls and Butter, Coffee, Decaf and Tea.



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 9/30/17 @ Arlington Catholic High School for a 'Welcome Home Alumni Cocktail Reception'

Summary:

Erin Simmons, Alumni Relations Assistant Director

ATTACHMENTS:

Type File Name Description

□ Reference Material ACHS_Special_License_Application.pdf Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Number of people expected to attend:
Expected admission/ticket prices:
Expected prices for food and beverages (alcoholic and non-alcoholic): #4 blor #4 will
Will persons under age 21 be on premises?
If "yes," please detail plan to prevent access of minors to alcoholic beverages.
Have you consulted with the Department of Police Services about your security plan for the Event?
OFFICE USE ONLY
For Police Chief, Operations Commander, or designee:
Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.
Printed name/title Date 9-5-17 Printed name/title
police comments: Confirm e stimated attendees. Sofety detail not required FOR >150
What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)
What types of food and non-alcoholic beverages do you plan to serve at the Event?
Who will be responsible for serving alcoholic beverages at the Event? AND ONE NON-CONTROL DON'THAT
What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.
Jue Simmons
Tom Summons
Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)
Date of Delivery: Will DICK US Alcohol Serving Time (s): 7:00 p.m. 10:30 p.m.
How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of? TO RE DISTRIBUTED AMANG COMMITTER MEMBERS EXPECTED TO BE MILLIMAT
Date of Pick-Up:
Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)
Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.
I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:
Signature:
Printed name: ERIN SIMMONS
Printed title & Organization name: ASST. DIR PL TOR FOR AILMNIRELATIONC _ ALI
Email: PSIMMONS Q acho not

Alumni Reception Security Plan

Arlington Catholic's Alumni Reception will have approximately 150 attendees. It is a community building event for the school. This is our 1st year holding this event. We will have a bar available as well as food.

Prevention of Sale of Alcohol to Minors:

First and foremost, no one is allowed to attend the event unless they are 21 and over. Additionally, AC has a certified bartender who will check IDs for everyone, Joseph Simmons (his certification information is enclosed). There will also be additional volunteers available to serve soda and non-alcoholic beverages.

Traffic and Parking:

We do not anticipate any traffic issues as the school daily has over 800 people in the building and there will be fewer people in attendance that evening. Attendees are being told to park in the Municipal Lot behind the school, to find street parking, or the RR Lot.

General Crowd Control:

Arlington Catholic will hire one Arlington Police Detail Officers for the event to assist if any issues arise. We will also have numerous school administrators present.

Evacuation Plan:

The school evacuation plan that was developed to evacuate students during the day will be put into use if any emergencies occur. The emergency plan is posted in all areas of the school with explicit instructions of what to do in an emergency. Again, school administrators and staff will be available to assist and direct if anything were to occur.

Print

Main Menu

Do not click Back-Space to leave this window





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/02/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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Evidence of General Liability including Host Liquor Liability for Alumni Reception - September 30, 2017 Town of Arlington is an additional insured where required by written contract. **CERTIFICATE HOLDER** CANCELLATION Town of Arlington, Massachusetts SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE 730 Massachusetts Avenue THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. Arlington, MA 02476 AUTHORIZED REPRESENTATIVE



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 10/7/17 @ Robbins Memorial Town Hall for a Private Event

Summary:

Emilia Campbell and Thomas Beraldi

ATTACHMENTS:

Type File Name Description

□ Reference Material Campbell_Wedding.pdf Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant:Emilia Campbell & Thomas Beraldi
Address, phone & e-mail contact information:
64 Newcomb Street #1, Arlington, Ma.
Name & address of Organization for which license is sought:
N/A_
Does this Organization hold nonprofit status under the IRS Code? Yes No
Name of Responsible Manager of Organization (if different from above).
Michelle Noska, BEANTOLMS CATERING 617-519-6081
Address, phone & e-mail contact information:
Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? If so, please give date(s) of Special Licenses and/or applications and title of event(s)
Is this event an annual or regular event? If so, when was the last time this event was held and at what location? _one time event
24-Hour contact number for Responsible Manager of Alcohol Event date:
Michelle Noska, Beaujolais Catering 617-519-6081
Title of Event: Wedding
Date/time of Event: Saturday, October 7, 2017 5:00 pm - 10:30 pm

Location of Event:Arlington Town Hall
Location/Event Coordinator: _Patsy Kraemer/Vicki Rose/Sheelah Ward
Method(s) of invitation/publicity for Event: Wedding invitation
Number of people expected to attend: 140
Expected admission/ticket prices: N/A
Expected prices for food and beverages (alcoholic and non-alcoholic):
<u>N/A</u>
Will persons under age 21 be on premises?
If "yes," please detail plan to prevent access of minors to alcoholic beverages.
Bartenders will check ID's
Have you consulted with the Department of Police Services about your security plan for the Event? YES
OFFICE USE ONLY
For Police Chief, Operations Commander, or designee:
Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event Date Holling Date Frinted name/title
responsible Manager Cannot be applicant if they intend on consuming alcohol at the event. New manager needs to be named.
What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.) beer/wine

What types of food and non-alcoholic beverages do you plan to serve at the Event?						
full dinner/waters/juices						
Who will be responsible for serving alcoholic beverages at the Event?						
Beaujolais Catering						
What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.						
TIPs certification						
Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.						
attached						
Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)						
Atlas Liquors, Medford						
Date of Delivery: _Sat. Oct. 7, 2017						
Alcohol Serving Time (s): 5:30 pm - 10:30 pm						
How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?						
Atlas Liquors will pick up excess alcohol						
Date of Pick-Up:Mon. 10/9/2017						
Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)						

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature:	
Printed name: Emmy Campbell	
Printed title & Organization name:	
Email: ammumaamnhall@amail.com	



ROBBINS MEMORIAL TOWN HALL AUDITORIUM 730 Massachusetts Avenue, Arlington, Ma. 02476

9 September 2017

SECURITY PLAN FOR CAMPBELL/BERALDI WEDDING

A wedding for Eileen Emilia Campbell and Thomas Beraldi will be held on Saturday, October 7, 2017, at Arlington Town Hall. The event is scheduled for 5:00 pm to 10:30 pm.

An Alcohol Permit Application has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 140 guests to attend. We anticipate some attendees will be under age. The bartenders will ID guests.

Patsy Kraemer will be the event coordinator for the event. Greg Stathopoulos will be the custodian for the event. Beaujolais Catering will be catering the event and will provide the bartending service and the TIPS certified bartending staff. The Campbell and Beraldi families are responsible for ensuring that the event runs smoothly.

A fire services detail will be hired for the event. This officer will be available to help with any emergency situations that may arise.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

Please advise if there are other items that we need to consider.

Signature:

This is your Official TIPS® Certification Card. Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Inc, by using the information provided on the reverse side of your certification

your certification number because you will need it when contacting TIPS. For assistance or additional information, contact Health Communications,

card. There is a minimal charge for a replacement card if your original card

becomes lost, damaged or stolen.

IMPORTANT: Keep a copy of this card for your records. Write down

Congratulations!

By successfully completing the TIPS (Training for Intervention ProcedureS) program, you have taken your place in the forefront of a nationwide movement reduce the tragedies resulting from the misuse of alcohol. We value your recipation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or leagues by using the techniques you have learned and taking a positive oach towards alcohol use.

you have any information you think would enhance the TIPS program, or can assist you in any way, please contact us at 703-524-1200. Thank you it dedication to the responsible sale and consumption of alcohol.

Sincerely,

364 Reservoir ave Revere, MA 02151

Aldarico G de Oliveira

For service visit us online at www.gettips.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 4/12/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PROI	DUCE	R			200-200-200-200-200-200-200-200-200-200	CONTACT Commercial Lines					
Pre	sco	ott and Son Insurance Ag	enc	y,I	nc.	PHONE (781) 322-2350 FAX					
963	Ea	stern Avenue				(A/C, No, Ext): (A/C, No): E-MAIL ADDRESS:					
						ADDITE	00=00=0	CUREDIS) ACCORDING COVERAGE			NAIC#
Mal	der	MA 021	48			INSURER(S) AFFORDING COVERAGE INSURER A :Ohio Security Ins Co					24082
INSU	RED		WANTED.			INSURE		currey 1			24002
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		Broadway			9	INSURER C:					
		220dding,				INSURE	- 7.74				
A - 1	inc	rton MA 024	74			INSURER E :					
-	-			ATE	NUMBER:CL1741225	INSURER F:					
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IN	DICA	ATED. NOTWITHSTANDING ANY REFICATE MAY BE ISSUED OR MAY	QUIF	REME	NT, TERM OR CONDITION	OF AN	Y CONTRACT	OR OTHER	DOCUMENT WITH RESPE	CT TO	WHICH THIS
	KCLU	ISIONS AND CONDITIONS OF SUCH				BEEN			5.		
INSR LTR				SUBR WVD	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	S	
	X	COMMERCIAL GENERAL LIABILITY							EACH OCCURRENCE	\$	1,000,000
A		CLAIMS-MADE X OCCUR					1		DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	300,000
					BKS56554619		4/9/2017	4/9/2018	MED EXP (Any one person)	\$	15,000
									PERSONAL & ADV INJURY	\$	1,000,000
	GEN	I'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE	\$	2,000,000
	x	POLICY PRO- JECT LOC							PRODUCTS - COMP/OP AGG	\$	2,000,000
		OTHER:							Expense Mod Factor 1	\$	
	AUT	OMOBILE LIABILITY							COMBINED SINGLE LIMIT (Ea accident)	\$	
ĺ		ANY AUTO							BODILY INJURY (Per person)	\$	
		ALL OWNED SCHEDULED AUTOS							BODILY INJURY (Per accident)	\$	
		HIRED AUTOS NON-OWNED AUTOS							PROPERTY DAMAGE (Per accident)	\$	
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İ	\vdash								AGGREGATE	\$	
	WOR	DED RETENTION \$ RKERS COMPENSATION	-						PER OTH- STATUTE ER	*	***************************************
AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?									s		
		CER/MEMBER EXCLUDED?	N/A						E.L. EACH ACCIDENT		
	If yes	ndatory in NH) s, describe under							E.L. DISEASE - EA EMPLOYEE		
	DES	CRIPTION OF OPERATIONS below							E.L. DISEASE - POLICY LIMIT	\$	
A	LIG	QUOR LIABILITY			BKS56554619		4/9/2017	4/9/2018	EACH OCCURENCE		\$1,000,000
				l.					AGGREGATE		\$2,000,000
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		non of operations/Locations/Vehic ficate Holeder name as a				dule, may	be attached if me	ore space is req	uired)		
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CE	RTIF	FICATE HOLDER				CAN	CELLATION				
							AVI - TV 17-0-10-110-11		-Vietna and Till		
Town Of Arlington 730 Mass Avenue Arlington, MA 02474							ESCRIBED POLICIES BE C				
							EREOF, NOTICE WILL I CY PROVISIONS.	OE DE	TIVENED IN		
				AUTHORIZED REPRESENTATIVE							
				7							
				LT S	J. S. Scholnick/MPB Joseph & Scholnick						



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 10/8/17 @ Robbins Memorial Town Hall for a Private Event

Summary:

Ashley Kairit

ATTACHMENTS:

Type File Name Description

Reference Material Kairit_Special_Application.pdf Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Ashley Kairit
Address, phone & e-mail contact information:
32 N. Main St. #2, Natick, Ma
Name & address of Organization for which license is sought:N/A
Does this Organization hold nonprofit status under the IRS Code? Yes No
Name of Responsible Manager of Organization (if different from above):
Tastings Caterers, Sue 508-879-9191
Address, phone & e-mail contact information:
tastings.catering@gmail.com
Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year?No If so, please give date(s) of Special Licenses and/or applications and title of event(s).
Is this event an annual or regular event? If so, when was the last time this event was held and at what location?
24-Hour contact number for Responsible Manager of Alcohol Event date:
_508-879-9191
Title of Event: wedding

Date/time of Event:
Sunday, October 8, 2017
Location of Event:
Arlington Town Hall
Location/Event Coordinator:
Patsy Kraemer/Vicki Rose/Sheelah Ward
Method(s) of invitation/publicity for Event:
wedding invitation_
Number of people expected to attend:
120
Expected admission/ticket prices: N/A
Expected prices for food and beverages (alcoholic and non-alcoholic):
<u>N/A</u>
Will persons under age 21 be on premises? yes
If "yes," please detail plan to prevent access of minors to alcoholic beverages.
bartenders will check ID
Have you consulted with the Department of Police Services about your security plan for the Event?
OFFICE USE ONLY
For Police Chief, Operations Commander, or designee:
Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event. Date 4/5/17 Printed name/title
POLICE COMMENTS:

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.) beer/wine
occi wine
What types of food and non-alcoholic beverages do you plan to serve at the Event?
full dinner, waters/juices
Who will be responsible for serving alcoholic beverages at the Event?
Tastings Caterers
What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.
TIPS certification
Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.
attached
Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)
Kappys On Line Alcohol, Everett, Ma
Date of Delivery:
<u>10/7/2017</u>
Alcohol Serving Time (s): 4:30 pm - 9:30 pm
How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?
Kappy's will pick up excess alcohol.
Date of Pick-Up:Mon. 10/9/2017
Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete

information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature:	
Printed name: Ashley Kairit	
Printed title & Organization name:	
Email: ashleykairit@gmail.com	



ROBBINS MEMORIAL TOWN HALL AUDITORIUM 730 Massachusetts Avenue, Arlington, Ma. 02476

5 September 2017

SECURITY PLAN FOR KAIRIT WEDDING

A wedding for Ashley Kairit will be held on Sunday, October 8, 2017, in the auditorium at Arlington Town Hall. The event is scheduled for 3:30 pm to 9:30 pm.

A One-Day Permit has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 120 guests to attend. We anticipate there will be very young attendees under age.

Patsy Kraemer will be the event coordinator for the event representing Arlington Town Hall. Greg Stathopoulos will be the custodian for the event. Tastings Caterers will be catering the event and will provide the bartending service as well as the TIPS certified bartending staff. The Kairit family are responsible for ensuring that the event runs smoothly.

A fire services detail will be hired for the event. This officer will be available to help with any emergency situations that may arise.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

Please advise if there are other items that we need to consider.

SSN:

Issued: ID#:

eTIPS On Premise 2.0Expires: 9/18/2014

D.O.B.:

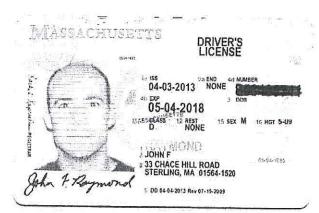
XXX-XX-XXXX 9/18/2017

3822218

XXXXXXXXX

John Raymond 33 Chace Hill Rd Sterling, MA 01564-1520

For service visit us online at www.gettips.com





CERTIFICATE OF LIABILITY INSURANCE

TASTI-2 OP ID: R2

DATE (MM/DD/YYYY) 08/31/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the

PRODUCER D. Francis Murphy Ins Agcy Inc Marlboro Office 200 Main Street Marlboro, MA 01752 Michael Murphy x5121			CONTACT Michael Murphy x5121				
			PHONE (A/C, No, Ext): 508-485-8211	FAX (A/C, No): 50	8-485-4557		
			E-MAIL ADDRESS:				
			INSURER A: Hanover Insurance Company		NAIC #		
INSURED	Tastings Caterers		INSURER B: Massachusetts Bay Insurance	22306			
	dba Taste Inc. 5 Crestwood Dr		INSURER C: Progressive Insurance Co.				
	Framingham, MA 01		INSURER D:				
			INSURER E :				
			INSURER F:				
COVERA	CES	CERTIFICATE NUMBER.	DEVISION	MILIMBED.			

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS,

	KCEUSIONS AND CONDITIONS OF SUCH F								
INSR LTR	NSR LTR TYPE OF INSURANCE		SUBR	POLICYNUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	XP YY) LIMITS		
В	X COMMERCIAL GENERAL LIABILITY	T					EACH OCCURRENCE	\$	1,000,000
	CLAIMS-MADE X OCCUR	Х		ZBN515087208	05/21/2017	05/21/2018	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000
							MED EXP (Any one person)	\$	10,000
	X Liquor						PERSONAL & ADV INJURY	\$	1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$	2,000,000
	POLICY PRO- JECT LOC						PRODUCTS - COMP/OP AGG	\$	2,000,000
	OTHER:							\$	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$	
С	ANY AUTO			03931410-0	09/23/2016	09/23/2017	BODILY INJURY (Per person)	\$	20,000
	ALL OWNED X SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$	40,000
	HIRED AUTOS NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	\$	5,000
								\$	
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	\$	
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$	
	DED RETENTION \$							\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER OTH- STATUTE ER		
Α	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A		WHN518171308	03/03/2017	03/03/2018	E.L. EACH ACCIDENT	\$	100,000
	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	NIA					E.L. DISEASE - EA EMPLOYEE	\$	100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	\$	500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Caterer.

Re: Event to be catered on October 8, 2017 for Ashley Kairit
***See attached for additional wording....

Town of Arlington Arlington Town Hall Attn: Event Coordinator

730 Massachusetts Ave

Arlington, MA 02476

CERT	IFICATI	E HOL	DER

ARLING2

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

CANCELLATION

Dennis F. Murphy

HOLDER CODE

ARLING2 INSURED'S NAME Tastings Caterers

TASTI-2 OP ID: R2

PAGE 2 Date 08/31/2017

Town of Arlington is included as an Additional Insured on the General Liability and Liquor Liability only as required by written contract.



Town of Arlington, Massachusetts

Request: Contractor/Drainlayer License

Summary:

JCP Construction, Byfield, MA

ATTACHMENTS:

Type File Name Description

Engineering recommendation, Town application, Meeting notice Reference Material JCP_Construction.pdf



TOWN OF ARLINGTON Department of Public Works 51 Grove Street Arlington, Massachusetts 02476 Office (781) 316-3320 Fax (781) 316-3281

MEMORANDUM

To: Board of Selectmen From: Engineering Division

Re: Approved Contractor License

Date: August 24, 2017

Dear Board Members,

Reference is hereby made to an application by John Pappas of JCP Construction, to be accepted as an Approved Contractor in the Town of Arlington.

Contact information is as follows:

JCP Construction 2 Caldwell Farms Road Byfield, MA 01922

Phone: 781-866-0177

Email: jcp.construction@icloud.com

Upon review of the provided references supplied by the contractor, we recommend approval and issuance of an Approved Contractor and Drainlayer license.

Joseph Szafarowicz

Civil Engineer, Arlington Engineering Division

CC: File



TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

APPLICATION FOR TOWN OF ARLINGTON DPW CONTRACTOR LICENSE

Directions: Please complete <u>ALL</u> fields below and deliver the completed application to the Department of Public Works Engineering Department at 51 Grove Street for Processing and Submission to the Board of Selectmen. Please also include in your submission a \$75.00 application fee in the form of a check payable to the "Town of Arlington". Any questions regarding this application form or procedure should be directed to the Town of Arlington Engineering Department at 781-316-3386.

Scope of Work	
Please indicate the scope of work you intend to perform as a DPW Approved Contractor in the Town of Arlington (check all that apply):	
□ Water □ Sanitary Sewer □ Stormwater Drainage □ Sewer/Drain Inspection □ Driveway Work □ Curb/Sidewalk Work	
Applicant Information	
Applicant/Firm Name: JCP CONSTACTION	
Select One: Corporation Partnership Proprietorship Other:	
Street Address: 2 Caldwell towns Sch City/Town: Byfield State: MG	
Primary Phone: 781 8060177 E-mail: JCP, CONSTRUCTION @ ICOUD,	COM
Length of Time in Business under the same Firm Name:	
Full Name(s) of Principal(s): Sohn Pappa'S	
Primary Contact Person: Same	
Experience/Previous Work	
Nature of Typical/Standard Work: Side welk Repair on neupont 5th	
Have you ever performed this type of work in Arlington:	
If Yes, Please provide Location: Approximate Date:	
Total Amount of such construction this year:	
Total Amount of such construction last year:	
Total Amount of such construction next previous year:	
Municipal References - Please Attach Written Reference Letters	
Municipality: milden	
Primary Contact Name: John Vidoc Email: Juidie @ city of Malden	019
Municipality:	, ,
Primary Contact Name: JOUSON MONTalano Email: Metad 189@ ail, com	
Municipality: Malden	
Primary Contact Name: Janel Sunners Email: Jsurmacrs Greity of Ma	lden
Banking/Financial References - Please Attach Written Reference Letters if Available	101
Bank Reference: Citizens Dandk Phone: 978658 9134	_
Your social security number or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing	
Note to Town Staff: Redact Social Security # before releasing document of the subject to license suspension or revocation. This request is made	
under the authority of Massachusetts General Law, Chapter 62C, Section 49A. Signature/Endorsement	
By signing below, I certify that under the penalties of perjury that to the best of my knowledge and belief all information on this application is true and correct. I also certify by signature below that I/we have filed all state tax returns and paid all state taxes as required by law. I also hereby agree to conform in all respects to the conditions governing such license as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen and/or Department of Public Works may establish.	
Applicant Signature: Date: 8/16/17 Print Form	

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

August 25, 2017

John Pappas JCP Construction 2 Caldwell Farms Road Byfield, MA 01922

Dear Mr. Pappas:

The Board of Selectmen will be discussing your request for a License to do Drainlaying in the Town of Arlington on Monday, September 11th in the Selectmen's Chambers, Town Hall, 2nd Floor. The meeting begins at 7:15 p.m. Although it is not a requirement that you attend the meeting, you are invited to be in attendance.

Very truly yours, BOARD OF SELECTMEN

Marie A. Krepelka

Board Administrator

MAK:fr



Town of Arlington, Massachusetts

Request: Contractor/Drainlayer License

Summary:

Phoenix Communications Inc., Shrewsbury, MA

ATTACHMENTS:

Type File Name Description

Reference Material Phoenix_Communications.pdf Engineering recommendation, Town application, Meeting notice



TOWN OF ARLINGTON Department of Public Works 51 Grove Street Arlington, Massachusetts 02476 Office (781) 316-3320 Fax (781) 316-3281

MEMORANDUM

To: Board of Selectmen From: Engineering Division

Re: Approved Contractor License

Date: August 30, 2017

Dear Board Members,

Reference is hereby made to an application by Fred York of Phoenix Communications, to be accepted as an Approved Contractor in the Town of Arlington.

Contact information is as follows:

Phoenix Communications Inc. 25 Bowditch Drive Shrewsbury, MA 01545 Phone: 508-438-0360

Email: fyork@phoenix-fiber.com

Upon review of the provided references supplied by the contractor, we recommend approval and issuance of an Approved Contractor and Drainlayer license.

Joseph Szafarowicz

Civil Engineer, Arlington Engineering Division

CC: Wayne Chouinard, Town Engineer



TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

APPLICATION FOR TOWN OF ARLINGTON DPW CONTRACTOR LICENSE

Directions: Please complete ALL fields below and deliver the completed application to the Department of Public Works Engineering Department at 51 Grove Street for Processing and Submission to the Board of Selectmen. Please also include in your submission a \$75.00 application fee in the form of a check payable to the "Town of Arlington". Any questions regarding this application form or procedure should be directed to the Town of Arlington Engineering Department at 781-316-3386.

Engineering De	epartment at 781-316-338	0,							
				pe of Wor					
Please in	idicate the scope of worl	k you intend to perfo				n the Town o	f Arlington (ch	eck all that appl	y):
Water	Sanitary Sewer	Stormwater Drain	80 W	Sewer/Dra		☐ Drive	eway Work	Curb/Sidewa	alk Work
			Applica	ant Inform	ation	And Hall			
Applicant/Firm Name: PHOENIX COMMUNICATIONS									
Select One:		Partnersl	hip	Proprieto	rship	Other:			
Street Address	25]	BOWDITCH DRIVE		City	Town:	SHRE	WSBURY	State:	MA
Primary Phono	e: 508-	438-03	E-mail:	·	FY	ORK@PHOE	NIX-FIBER.CON	1	
Length of Tim	e in Business under the sa	ime Firm Name:				17 YEARS			
Full Name(s) o	f Principal(s):			MA	RK LANGEVI	N			
Primary Conta	act Person:			FRED YORK	508-438-0360	EXT 224			
			Experien	ce/Previou	s Work	124			***
Nature of Typi	ical/Standard Work:		PLACINO	G FIBER OPT	IC CABLE FOI	R ZAYO COM	UNICATIONS		
Have you ever	performed this type of we	ork in Arlington:		Yes			X No		
If Yes, Please p	provide Location:					Approximate	Date:		
Total Amount	of such construction this	year: 30 W	huo	N				_	
Total Amount	of such construction last	year:							
Total Amount	of such construction <u>next</u>	previous year:							
	N	Iunicipal Referen	ices - Plea	ase Attach `	Written Ref	erence Lett	ers		
Municipality:		WORCESTER D.P.W.							
	Primary Contact Name:	I	FRANK RA	NUCCI		Email:	RanucciF@	worcesterma.gov	
Municipality:		3	WELLESLEY MUNICIPAL LIGHT AND POWER						
	Primary Contact Name:	J	DONALD N	IEWELL		Email:			
Municipality:		CITY OF SOMERVILLE							
	Primary Contact Name		TERRANCI	E SMITH		Email:	tsmith@s	omervillema.gov	
Manylin in	Banking/Fi	nancial Reference	es - Please	e Attach W	ritten Refer	ence Letter	s if Available		i illeria
Bank Reference	ce:	FIDELITY BANK A	TT: DAVE	PERRY		Phone:	50	8-762-3622	-
Federal Tax ID or Social Security #:			Your social security number or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or						
Note to Town Staff: Redact Social Security # before releasing document delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.									
			Signatu	ure/Endors	ement		That had		
By signing below, I certify that under the penalties of perjury that to the best of my knowledge and belief all information on this application is true and correct. I also certify by signature below that I/we have filed all state tax returns and paid-tall state taxes as required by law. I also hereby agree to conform in all respects to the conditions governing such license as printed in the By-Laws of the Toyn, and such other rules and regulations as the Selectmen and/or Department of Public Works may establish.									
Applicant Sign		hall	U			G	AUG-201	Poset F	orm

Print Form



TOWN OF NEEDHAM, MASSACHUSETTS PUBLIC WORKS DEPARTMENT 500 Dedham Avenue, Needham, MA 02492 Telephone (781) 455-7550 FAX (781) 449-9023

January 22, 2015

RE: Letter of Recommendation Phoenix Communications Inc.

To Whom It May Concern:

Phoenix Communications Inc. of Shrewsbury, MA is current excavator in Town of Needham. Phoenix Communications Inc. meets all Town of Needham requirements.

Sincerely,

Judith Oakes

Judith Oakes Street Permit Administrator Needham DPW

LtrRecommend Phoenix Communications 1-22-15

MUNICIPAL LIGHT BOARD

THOMAS E. PEISCH, CHAIRMAN
WILLIAM E. CHARLTON
PAUL L. CRISWELL
DAVID A. T. DONOHUE
EDWARD J. STEWART, III

TOWN OF WELLESLEY

WELLESLEY, MASSACHUSETTS 02481



RICHARD F. JOYCE
DIRECTOR
2 MUNICIPAL WAY
WELLESLEY, MA 02481
781-235-7600
FAX 781-237-1936

November 15, 2011

Subject: Reference - Phoenix Communications Inc. 70 James Street Worcester, Massachusetts

To whom it may concern:

The Town of Wellesley Municipal Light Plant utilizes the services of Phoenix Communications Inc. for the installation, termination, testing, troubleshooting and repair of fiber optic cable on our Town-wide fiber optic system. In addition to technical proficiency, Phoenix Communications provides high level of customer service. I have found each of the Phoenix employees assigned to projects in Wellesley to be professional, knowledgeable, helpful and friendly.

Please call me if you require the specifics of the projects performed by Phoenix within Wellesley or if you require additional information.

Sincerely

Donald H. Newell Superintendent



Town of Burlington Engineering Division 25 Center Street Burlington, MA 01803 Phone 781-270-1640 Fax 781-238-4693 www.Burlington.org

February 11, 2015

To Whom It May Concern:

Phoenix Communications has performed excavations in the Town of Burlington. We have not had any problems with the company nor its employees. If you have any questions please feel free to call me at 781-270-1640.

Yours truly,

Thomas F. Hayes, PE

.

TFH/Irm



City of Chelsea

DEPARTMENT OF PUBLIC WORKS City Hall, 500 Broadway, Room 310 Chelsea, Massachusetts 02150

Telephone: (617) 466-4200

Fax: (617) 466-4210

June 15, 2015

Mr. Mark Pavone Phoenix Communications, Inc 25 Bowditch Drive Shrewsbury, MA 01545

Dear Mr. Payone:

I have reviewed your information and references and find all information in order. I am pleased to inform you that the contractor's application for Phoenix Communications, Inc. is approved.

Registration is valid for one year from the issue date of June 15, 2015.

If you need any further information, please contact this office at 617-466-4200.

Sincerely,

Andrew B. DeSantis Assistant Director

ABD/sjd



October 14, 2015

City of New Haven 165 Church St. New Haven, CT 06510

Re: Letter of Recommendation

To Whom It May Concern:

Last Mile Solutions, a CT and MA CLEC, has been a customer of Phoenix Communications for nearly 10 years, including time as Forest City Networks. Phoenix's quality, craftsmanship, and attention to detail has certainly helped them standout as one of Last Mile Solution's premier contractors and our construction company of choice. I highly recommend them for all aspects of construction in and around the City of New Haven.

Please feel free to contact me directly if you need any additional information.

Sincerely,

Scott Richardson VP, Engineering

Last Mile Solutions

www.lmilesolutions.com (508)925-8576 (ext 205)

(508)450-8661 (cell)

LAST MILE SOLUTIONS



October 15, 2015

Jessica Toohil
Operations Manager
Phoenix Communications

Dear Jessica:

Please feel free to use Wakefield Municipal Gas and Light Department, Wakefield, MA as a reference on any future work that Phoenix Communications is planning to bid on.

I found your crews, supervisors and engineers to be extremely professional during the installation of our new fiber network here in Wakefield. Your crews' knowledge of working in the electric gain of our 13kv and 4kv distribution system allowed our local crews to concentrate on their normal daily work. I understand that our open wire secondary's can be difficult to work around since the sag is never correct but Phoenix made it work.

As we continue to build out our fiber optic system to support our new Wallace Electric substation we have come to rely on the knowledge base that the employees at Phoenix have about our fiber and electric distribution system. Just yesterday we held a planning meeting with Phoenix planners to discuss connecting our new fiber system to an older system that was self installed several years back. The results of that meeting, I am happy to say, will result in future dealings with Phoenix.

I also would like to note that during your time working on our system we received no customer complaints about your crews. The local police department enjoyed working with Phoenix.

The professionalism shown on the multiple Wakefield jobs was what I had come to expect from Phoenix. This is the same professionalism that I witnessed during the 13-mile fiber build out when I was the Operation Manager at Ipswich Municipal Light Department, Ipswich, MA.

I always look forward to working with Phoenix in the future.

Sincerely

Carl Lemiesz

Chief Engineer

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

August 31, 2017

Fred York Phoenix Communications Inc. 25 Bowditch Drive Shrewsbury, MA 01545

Dear Mr. York:

The Board of Selectmen will be discussing your request for a License to do Drainlaying in the Town of Arlington on Monday, September 11th in the Selectmen's Chambers, Town Hall, 2nd Floor. The meeting begins at 7:15 p.m. Although it is not a requirement that you attend the meeting, you are invited to be in attendance.

Very truly yours, BOARD OF SELECTMEN

Marie a. Krepelber for

Marie A. Krepelka Board Administrator

MAK:fr



Town of Arlington, Massachusetts

Byway Committee (terms to expire 10/1/2019)

Summary:Paul Fennelly
George Parsons

ATTACHMENTS:

	Type	File Name	Description
ם	Reference Material	Request_from_Byway_Committee.pdf	Request to Appoint from the Battle Road Byway Committee
ם	Reference Material	P_Fennelly_2017_(updated_Bio)- 1.docx	P. Fennelly reference
D	Reference Material	Parsons_resume.pdf	G. Parsons reference



THE ROAD TO REVOLUTIONS

SEPTEMBER 6, 2017

MARIE KREPELKA

BOARD OF SELECTMEN

TOWN HALL

ARLINGTON, MA 02476

RE: ARLINGTON'S MEMBERS ON THE SCENIC BYWAY COMMITTEE

DEAR MARIE,

THE SCENIC BYWAY COMMITTEE, COMPRISED OF MEMBERS FROM THE FOUR TOWNS AND MINUTEMAN NATIONAL PARK, HAS BEEN WORKING FOR THE LAST FIVE YEARS ON AN EFFORT TO PROMOTE TOURISM AND VISITORS TO MASSACHUSETTS' LATEST SCENIC BYWAY, THE BATTLE ROAD BYWAY.

WE HAVE BEEN WORKING ON A SIGNAGE AND BRANDING PACKAGE FOR THE BYWAY AND EXAMPLES OF THE SIGNS CAN BE SEEN ALONG THE MINUTEMAN BIKEWAY IN LEXINGTON. WE ARE CURRENTLY WORKING ON A WEBSITE FOR THE BYWAY WITH THE TREMENDOUS HELP OF ALI CARTER. THESE TWO PROJECTS HAVE BEEN DESIGNED BY AN ARLINGTON COMPANY, SELBERT PERKINS.

EACH TOWN HAS THREE MEMBERS AND ONE VOTE ON THE COMMITTEE. THE SCENIC BYWAY COMMITTEE HAS BEEN ABLY SERVED BY HOWARD WINKLER AND ANGELA OLSZEWSKI. NOW HOWARD HAS MOVED TO LEXINGTON BUT CONSULTS WITH US FREQUENTLY. ANGELA'S WORK DOES NOT ALLOW HER TO

ATTEND THE MEETINGS DURING THE DAY. WE WANT TO THANK THEM FOR THEIR WORK.

WE ARE EXTREMELY LUCKY TO HAVE TWO ARLINGTON PRESERVATIONISTS, GEORGE PARSONS AND PAUL FENNELLY, WHO ARE BOTH ON THE BOARD OF THE ARLINGTON HISTORICAL SOCIETY, HAVE AGREED TO BE MEMBERS OF THE SCENIC BYLAW COMMITTEE. THEIR RESUMES ARE ATTACHED.

WE ASK THAT YOU PLEASE APPOINT THEM AS TWO OF THREE OF ARLINGTON'S MEMBERS.

CLARISSA ROWE, ARLINGTON, VICE CHAIR

CC: RICHARD CANALE, CHAIR, LEXINGTON

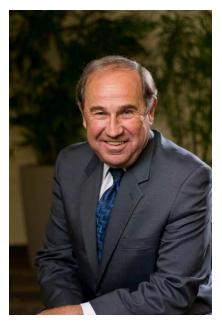
GEORGE PARSONS

PAUL FENNELLY

HOWARD WINKLER

ANGELA OLSZEWSKI

ALI CARTER



Dr. Paul Fennelly, Senior Environmental Executive.Currently a member of the Board of Directors of NanoVapor Inc. Also serves on Board of Directors of Arlington Historical Society, and Technical Advisor to Massachusetts Clean Energy Center and Strategic Advisor to Environmental Business Council of New England.

Dr. Paul Fennelly was Senior Vice President, Global Director of Sales and Marketing for AECOM's Global Environment Business Line which at the time had more than 4,500 staff operating from 150 offices across North and South America, Europe, Middle East, Africa, Asia, and Australia. Paul retired from AECOM in 2015 and is now consulting on business strategy for companies in the Environmental industry, including serving on the Board of Directors Member for an emerging technology company, NanoVapor Inc.

At AECOM, Dr. Fennelly oversaw strategic planning, sales, marketing, client relations and business development serving

clients in worldwide industrial market sectors of Oil & Gas, Power/Energy, Manufacturing, Chemical/Pharmaceutical, Mining and Minerals, Transportation as well as government organizations.

Dr. Fennelly has more than 30 years of executive and technical management experience in environmental consulting, engineering and management, air pollution control, atmospheric chemistry, environmental measurement, auditing, sustainability, due diligence, and impact assessment and permitting. With AECOM for more than 25 years, Paul has served in a variety of leadership roles including President, International Environmental Division (1997-2005), where he led corporate expansion into 16 countries. He also served as the General Manager, Air Quality Science & Engineering Division.

The author of 50 scientific articles and presentations, Dr. Fennelly holds a Ph.D. in Chemistry from Brandeis University and a BS in Chemistry from Villanova University. AECOM received five 2012 *Environmental Business Journal* and *Climate Change Business Journal* Business Achievement Awards.

Paul is Technical Reviewer to Massachusetts Clean Energy Center, where he reviews proposals for start up funding for new energy technology as part of their Incubator/Accelerator Program. Paul is also Strategic Advisor to the Environment Business Council of New England in a pro-bono capacity to assist the EBC to identify and focus on emerging environmental issues of the future.

Paul and his wife Kathy reside in Arlington, Massachusetts where he is engaged in various public service activities such as serving on the Board of Directors for the Arlington Historical Society, where he oversees governance of the Society and is leading fund raising efforts to create long term preservation of the iconic Jason Russel House, a key battle scene in the Revolutionary Battle of Lexington and Concord.

Paul's contact details are as follows:

Email: paul@fennellys.com Telephone: (978) 394-5821

Address: 97 Gray Street, Arlington, MA 02476

George H Parsons, Ph.D. 23 Brewster Road Arlington, MA 02476 +1 617 823 7259 GHParsons@msn.com

EXPERIENCE

Arlington Historical Society

2015 to Present Trustee of the Arlington Historical Society 2008-2015 Member of Board of Director

- Helped apply for and was awarded CPA and MHC grants for restoration of the Jason Russell House
- Helped apply for and was awarded CPA grant for the Old Burying Ground
- Member of Historic and Cultural Resources Working Group

Founder and Managing Director, Parsons Group LLC, Arlington, MA January 2008 to Present

Providing consulting services to the In Vitro Diagnostics industry worldwide

Director of Business Development, Future Diagnostics, Arlington, MA April 2001 to December 2007

- Represented contract assay Development Company headquartered in the Netherlands.
- Sold Inter-Operative PTH assay system in the US

Director Rare Reagents and Analytical Services, Bayer Diagnostics, Walpole, MA May 1999-January 2001

• Managed group of 50+ people in three states making critical raw materials and supplying analytical services in support of R&D and Manufacturing

Manager Assay Development, Chiron/Bayer Diagnostics, Walpole, MA April 1995-April 1999

 Managed 25-85 person R&D groups in the development and commercialization of automated chemiluminescent assays

Vice President Diagnostics, PerSeptive Biosystems, Cambridge, MA February 1994-March 1995

 Built 25 person R&D group applying novel chromatographic, capillary electrophoretic and mass spectrometric methods to clinical analytes

Vice President R&D, T Cell Diagnostics, Cambridge, MA

April 1992-February 1994

 Responsible for 20 person R&D group developing novel ELISA assays for immune system monitoring

General Manager Food Diagnostics, GENE-TRAK Systems, Framingham, MA

August 1989-March 1992

 Responsible for building DNA probe food diagnostics SBU including Sales, Marketing, Technical Service, R&D and Operations

Director of Operations, GENE-TRAK Systems, Framingham, MA

March 1986-August 1989

 Responsible for management of DNA probe reagent production, quality control and technical support

Vice President Reagent Systems Medical and Scientific Designs, Inc., Rockland, MA 1981-1986

• Founding partner of a venture funded instrument based immunodiagnostic company.

Technical Director, Clinical Assays, Cambridge, MA

1977-1981

• Supervised a group of 40 scientists who developed immunoassays for hCG, prolactin, AFP, PAP, TBG, LH, FSH, estriol, ferritin, gentamicin, tobramycin, rubella antibodies, insulin, and CEA.

Group Leader, Clinical Assays, Cambridge, MA

1974-1977

• Developed coated tube and double antibody immunoassays for digitoxin, T3, plasma renin activity, T3 Uptake, free T4, dilantin, phenobarbital, and theophylline.

Instructor, Boston University, Boston, MA 1972-1974

EDUCATION

- Ph.D. in Chemistry Brandeis University, Waltham, MA, 1973
- M.A. in Chemistry, Brandeis University, Waltham, MA, 1968
- B.A. in Chemistry, Magna cum laude, Phi Beta Kappa, Boston University, Boston, MA, 1967



Town of Arlington, Massachusetts

Approval: Draft Liquor License Suspension Decision, Prime Your Local Butcher

Summary:

Douglas W. Heim, Town Counsel a) Prime, Your Local Butcher, 1398 Massachusetts Avenue

ATTACHMENTS:

Type File Name Description

Reference
Material Prime_Your_Local_Butcher_Draft_Alcohol_Violation_Decision_(00019681).pdf Reference

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE

TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

DECISION of the LOCAL LICENSING AUTHORITY

Licensee: EPW, LLC d/b/a Prime, Your Local Butcher

Licensed Premises: 1398 Massachusetts Avenue

License No.: #003000059

License Type: Package Store License

Expiration Date: December 31, 2017

On August 7, 2017, after proper notice and hearing, the Town of Arlington Board of Selectmen, in its capacity as local liquor licensing authority ("LLA"), unanimously voted order suspension of the above-referenced license for three consecutive (3) days beginning on the same day of the week that the violation was committed (a Tuesday) on or before October 11, 2017, the specific date to be designated by the Licensee and reported to the Board staff. In accordance with G.L. c. 138, § 23, the LLA hereby provides this statement of reasons for its action.

Procedural History. The Arlington Police Department ("Department"), as the duly appointed agent for the LLA, conducted alcohol compliance checks on February 27, 2017 and February 28, 2017. The Department later notified the LLA of the results of those operations, including advising the LLA of those licensees which failed the compliance check. In accordance with G.L. c. 138, § 23(4), the Board convened a hearing on August 7, 2017, at approximately 7:15 p.m. to consider Prime, Your Local Butcher's compliance check failure. The licensee was notified of the hearing by certified letter dated May 15, 2017, and acknowledged receipt of same. Requests for postponement of initially scheduling hearings were granted.

Questions Presented for Hearing

- (1) Did a violation of the state liquor law occur on the above-referenced licensed premises on or about February 28, 2017, by the sale or delivery of alcoholic beverage(s) to one or more underage persons?
- (2) If so, what action, if any, will the LLA take concerning the above-referenced license as a result?

Evidence Presented

The following documents were accepted and made part of the record:

- (A) Arlington Police Department Incident Report # 17005303/1 (February 28, 2017).
- (B) Prime, Your Local Butcher Packet Including Alcohol Service Policy (with revisions) and Verification of Employee Training, and other materials.

The following witnesses appeared and testified:

(1) Inspector Stephen Porciello, Arlington Police Department (the parties consented to accept Inspector Porciello's June 19, 2017 testimony): summarized the annual alcohol compliance check operation and investigatory findings of the Department, especially information codified in Incident Report No. # 17005303/1,

which recorded the details of Prime, Your Local Butcher's compliance check failure; and

- (2) Paul Weissman, Owner and Manager Prime, Your Local Butcher: acknowledged the violation, accepting responsibility and expressing regret for the compliance check failure, and explaining both the circumstances which led to the violation, measures already taken to retrain staff, and future plans and initiatives to prevent underage service.
- (3) Mary Winstanley-O'Connor Counsel for Prime, Your Local Butcher: providing supporting details on the policies, training measures, and retraining efforts of the Licensee, as well as details of the incident.

<u>Findings of Fact</u>. On the basis of the evidence presented at the June hearing, described above, the LLA made the following findings of fact:

- 1. On February 28, 2017, the Arlington Police Department, through Inspectors Stephen Porciello and Det. Sergeant Gallagher, conducted alcohol compliance checks of thirteen of the Town's restaurants licensed to sell alcoholic beverages for consumption on the premises, and two package stores (other compliance checks of other license holders on or about February 27, 2017 and March 8, 2017). *Porciello Testimony; Incident Report*.
- 2. The compliance check was conducted in similar fashion to previous checks conducted in Arlington and in accordance with the Compliance Check Guidelines of the Alcoholic Beverages Control Commission. *Porciello Testimony*.
- 3. As part of this compliance check, two underaged operatives were sent into each establishment with no identification. The operatives attempted to purchase alcoholic beverages in each establishment. At the Licensed Premises on February 28, 2017, the two operatives purchased a six pack of Heineken bottles by a white male server his mid 20s with curly brown hair. It was later ascertained that the server's name is

James Cerone. The operatives paid for the beers and received change along with a receipt. The operatives left the establishment. *Porciello Testimony; Incident Report*.

- 4. Inspector Porciello immediately spoke with Prime's manager on duty, Scott Carta, and Mr. Cerone, both of whom acknowledged the violation immediately. *Porciello Testimony; Incident Report*
- 5. The Licensed Premises has been in operation in the Town of Arlington as Prime, Your Local Butcher since 2014 (and previously as "The Meat House"), and this is the first alcohol or liquor violation that has been documented. The Licensee stipulated to the facts within the Police Department's reports, and its representatives relayed the efforts already taken to retrain all staff given that the incident was caused by straightforward employee error. Weissman Testimony; Winstanley-O'Connor Testimony; Prime Alcohol Service Policy and Training Materials Packet.
- 6. The Licensee emphasized efforts to improve their training efforts including improved materials and quizzes to ensure comprehension of common problems and issues, and committee to training every quarter. Weissman Testimony; Winstanley-O'Connor Testimony; Prime Alcohol Service Policy and Training Materials Packet.
- 7. The Licensee testified that a manager or assistant manager is always on site, and that each employee has and will continue to sign a verification that they have received training before they can serve alcohol. Weissman Testimony; Winstanley-O'Connor Testimony; Prime Alcohol Service Policy and Training Materials Packet.
- 8. The Licensee also agreed to take part in the Arlington Youth Health and Safety Coalitions' "Sticker Shock" campaign, which aims to reduce underage drinking.

Weissman Testimony; Winstanley-O'Connor Testimony; Prime Alcohol Service Policy and Training Materials Packet.

Conclusion

On the basis of the findings of fact recited above, the LLA made the following conclusions on the Questions Presented:

(1) Did a violation of the state liquor law occur on the above-referenced licensed premises on or about February 28, 2017, by the sale or delivery of alcoholic beverage(s) to one or more underage persons?

Yes.

(2) If so, what action, if any, will the LLA take concerning the above-referenced license as a result?

3-day license suspension for consecutive days to commence on a Tuesday as selected by the Licensee on or after to be completed before October 11, 2017.

<u>Discussion</u>. Sections 12 and 34 of Chapter 138 of the General Laws prohibit sale or delivery of alcoholic beverages to any person under 21 years of age. G.L. c. 138, §§ 12, 34. On February 28, 2017, two underaged persons were sold alcoholic beverages by the Licensee's staff on the Licensed Premises. This sale was in violation of Chapter 138, as well as the regulations of the Alcoholic Beverages Control Commission at 204 C.M.R. 2.05(2).

The LLA has adopted a policy governing the sale of alcoholic beverages by restaurants. See Alcohol Licenses and Regulations, at Policies, Rules, and Regulations of Alcohol Licenses for Restaurants (revised January 12, 2015) ("Policy"). The Policy provides that a first offense of serving alcohol to an underaged person will presumptively lead to a license suspension of three to five days to commence on the same day of the

week as the violation. <u>See</u> Policy at p. 8 Among the factors to be considered in fixing the penalty are the quality of the evidence of the violation, the licensee's procedures for avoiding underage sales, efforts made to check identification, nature and circumstances of the violation, and history of violations by the licensee. <u>Id.</u>

Here, the evidence is uncontroverted that the violation occurred and there was no effort made to check identification of the underaged operatives. Because it was undisputed that the violation occurred, the LLA has no choice but to impose a suspension. However, the LLA expressed satisfaction with the sufficiency of the Licensee's response to the violation, its revised training methods, and commitment to preventing underage service in the future. As such, the LLA chooses to implement the minimum three-day suspension called for in its guidelines for a first offense. The LLA will also allow the Licensee to determine when the suspension shall begin so long as it is served on three consecutive days beginning on the day of the week when the violation was committed (a Tuesday in this instance).

<u>Order</u>

For the reasons stated herein, the above-referenced license is **SUSPENDED** for three days beginning on or after August 7, 2017, said days to be consecutive and beginning on a Tuesday but otherwise selected by the Licensee to be completed before October 11, 2017 and reported to the Office of the Board of Selectmen in advance. This order does not affect the Licensee's other operations permits to sell food, etc., so the Licensee may remain open for serving food and non-alcoholic beverages on those days, as long as no alcoholic beverages are exposed for sale.

Dated: Sept. 11, 2017

	By:
	TOWN OF ARLINGTON BOARD OF SELECTMEN
-	Joseph A. Curro, Jr., Chair
-	Steven M. Byrne, Vice-Chair
-	Kevin F. Greeley
	Diane M. Mahon
	Daniel J. Dunn



Town of Arlington, Massachusetts

Vote on Draft Decision or Reconsideration: Alexander Liquors Suspension Decision

Summary:

Douglas W. Heim, Town Counsel a) Alexander Liquors, 94B Summer Street

ATTACHMENTS:

Type File Name Description

□ Reference Material D._Heim_Alexander_Liquors_#2_.pdf draft decision D. Heim

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

DECISION of the LOCAL LICENSING AUTHORITY

Licensee:

Arlington Liquors d/b/a "Alexander Liquors

Licensed Premises:

94B Summer Street

(Arlington Liquors)

License No.:

003000048

License Type:

Package Store License

Expiration Date:

December 31, 2017

Summary of Findings and Decision

On June 19, 2017, after proper notice and hearing, the Town of Arlington's Board of Selectmen, in its capacity as a local liquor licensing authority ("LLA"), voted to revoke Arlington Liquors' (a/k/a "Alexander Liquors") license. The LLA's decision is based upon the number and severity of alcohol and related violations within a short period of time, the most recent of which occurred while the license holder was on probation for a previous violation, as well as the license holder's manifest lack of any plan or measures to address issues which have apparently led to multiple sales of tobacco and alcohol to underage persons and other illegalities on the premises. This body is well aware of the severity of this penalty, but found little basis in the License Holder's

testimony at hearing to allay its numerous concerns about the safe and effective management and exercise of the business and license at issue in the interests of the public good.

Procedural History

The Arlington Police Department ("Department"), as the duly appointed agent for the LLA, conducted annual alcohol compliance checks (a description of which is provided below) on February 27, 28, and March 8, 2017. The Department later notified the LLA of the results of those operations, advising the LLA of those licensees which failed the compliance check, including "Arlington Liquors." In accordance with G.L. c. 138, § 23(4), the Board scheduled a hearing on June 5, 2017, at approximately 7:15 p.m. to examine the alleged violations and consider whether or not any violation of c. 138, ABCC regulations, or LLA regulations occurred. The Licensee was notified of the hearing by certified letter dated May 15, 2017 and acknowledged receipt of same. The hearing was subsequently postponed until June 19, 2017, and licensee was notified accordingly.

Questions Presented for Hearing

- (1) Did a violation of the state liquor law occur on the above-referenced premises by sale or delivery of alcoholic beverages to persons under the age of 21 in violation of c. 138 § 34, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?
- (2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result, including a violation of probationary terms set forth at the Board's November 14, 2016 hearing for an alcohol license violation by the license holder, approved and codified by the Board's decision of November 28, 2016?

License History & Prior Violations

The LLA approved the transfer of the "all alcohol package store" license at issue to "Arlington Liquors d/b/a Alexander Liquors" and its owner and manager Mr. Alexander Kushnirsky by a 4-0 vote on August 22, 2011. Since that time, Arlington Liquors has been twice failed tobacco compliance checks, wherein cigarettes were sold to persons under the age of 21, in violation of the Arlington's Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products. Most recently, Arlington Liquors failed a tobacco compliance check on March 16, 2016; and the Arlington Board Health subsequently voted to issue a \$100 fine and suspend tobacco sales at Arlington Liquors for seven (7) days on or about April 6, 2016. See Board of Health Minutes & Decisions annexed hereto as Attachment "A." Arlington Liquors had previously failed the same type of tobacco compliance check on January 7, 2013, resulting in a February 3, 2013 fine and suspension of the same magnitude. See Attachment "A."

Moreover, on November 14, 2016 the Board of Selectmen, in its capacity as the LLA, determined that Arlington Liquors had violated the terms of its license and 204 C.M.R. 2.05(2), when its manager and owner (Mr. Kushnirsky) was found unresponsive and in possession of medical marijuana without a medical marijuana ID card (a then illicit substance), while also on the premises of his package store on or about February 26, 2016. Based upon the evidence and testimony regarding the February 26, 2016 incident, the LLA issued a five (5) day license suspension held in abeyance for a one-year

¹ It bears noting that according to Board of Health minutes of its April 6, 2016 Hearing, Mr. Kushnirsky represented that he was unaware that the legal age required for sale of tobacco in Arlington is 21 years old.

probationary period to end on November 30, 2017.² See, November 28, 2016 LLA Decision Re: Arlington Liquors, annexed hereto as Attachment "B."

Evidence Presented

The following documents were accepted and made part of the record:

(A) Arlington Police Department Reports Nos. 17005217 (February 27, 2017), 17005303 (February 28, 2017), and 17006003 (March 8, 2017)(hereinafter "Incident Reports," and annexed hereto as Attachment "C").

The following witnesses appeared and testified:³

- (1) Arlington Police Department Inspector Stephen Porciello: summarized the annual alcohol compliance check operation and investigatory findings of the Department, especially information codified in Incident Report No. 17005303, which recorded the details of Arlington Liquors' compliance check failure; and
- (2) Alexander Kushnirsky, Owner and Manager of Arlington Liquors: provided the Licensee's recitation of events, information on his business practices regarding checking identification, and referenced physical evidence not presented to the LLA (video recordings allegedly capturing the sale of alcohol to compliance check operatives).

² Given the findings of the June 18, 2017 Hearing in this matter, Arlington Liquors was noticed and did serve a five (5) day consecutive license suspension on or about June 23-27, 2017 in satisfaction of this Board's prior decision.

³ A true and accurate recording of the entirety of the proceeding including Inspector Porciello and Mr. Kushnirsky's testimony is available on demand at: http://acmi.tv/videos/selectmen-meeting-june-19-2017/ A transcript of such proceedings is also available upon request.

Findings of Fact

On the basis of the evidence presented at the June 19, 2017 Hearing described above, and other judicially noticeable information, the LLA made the following findings of fact:

- 1. On February 28, 2017, at approximately 4:48 p.m., Arlington Police Department, through Inspectors Stephen Porciello and Detective Sergeant Bryan Gallagher, conducted annual alcohol compliance checks on thirteen (13) of the Town's restaurants licensed to sell alcoholic beverages for consumption on the premises under G.L. c. 138, § 12, and two (2) of the Town's licensed package stores under G.L. c. 138 § 15. Previous compliance checks had been conducted for other restaurant, theater, and package store license holders on February 27, 2017, and subsequent checks were conducted on March 8, 2017. Porciello Testimony; Incident Report.
- 2. The compliance check was conducted in similar fashion to previous checks conducted in Arlington, and in accordance with the Compliance Check Guidelines of the Alcoholic Beverages Control Commission. Operatives are advised to make straight-forward orders for the purchase of alcohol and did not attempt to use fraudulent identification. *Porciello Testimony; Incident Report*.
- 3. As part of this compliance check, two underaged (teenage) operatives were sent into each establishment with no identification on the date in question. The operatives attempted to purchase alcoholic beverages in

each establishment. At the Licensed Premises on February 28, 2017, the two operatives purchased one (1) six-pack of Bud Light cans from a cashier later self-identified as Almaz Imanlieve to APD. The operatives paid for the six-pack and received change along with a receipt. The operatives left the package store to return immediately thereafter with the APD personnel and notify Arlington Liquors of the violation. *Porciello Testimony; Incident Report*.

- 4. Mr. Iamnlieve acknowledged the sale, but believed he had seen the operatives "in the business in the past." *Incident Report*.
- 5. These operatives are, in the opinion of Inspector Porciello, underage in physical appearance. *Porciello Testimony*.
- 6. The Licensed Premises has been operated by the present license holder since August of 2011. It has not previously failed an alcohol compliance check. The Licensed Premises was previously determined to have violated state and local alcohol regulations at a November 14, 2016 hearing of the LLA, when the owner and manager of the Licensed Premises was found to have been in illegal possession of medical marijuana without a authorized patient identification card on or about February 26, 2016. Moreover, the Licensed Premises has a record of at least two (2) prior violations of tobacco sales laws and regulations (including one in the last year), having similarly sold cigarettes to persons under the legal age for purchase without checking identification in

- compliance checks conducted by the Town Health and Human Services

 Department. See Attachments "A," and "B."
- 7. The Licensee did not dispute Inspector Porciello's basic facts and conclusions, or that the violation set forth in the Incident Report occurred. *Kushnirsky Testimony*.
- 8. The Licensee reported that his employee, Mr. Imanlieve, has worked for him in a similar capacity for approximately eight (8) years. *Kushnirsky Testimony*.
- Mr. Kushnirsky admitted that the female operative looked "very young," but believed the male operative looked older because he was bald. Kushnirsky Testimony.
- 10. Mr. Kushnirsky asserted that he takes underage service very seriously, continuously trains his employees in checking for identification, that they are "on top" of identification checks, and that his employees provide APD with confiscated fake IDs. *Kushnirsky Testimony*.
- 11. However, APD did not corroborate receipt of fake IDs on a routine basis from the Licensee, if at all; and Mr. Kushnirsky acknowledged that the Licensee does not keep logs of underage customer incidents. *Porciello Testimony; Kushnirsky Testimony*.
- 12. Furthermore, Mr. Kushnirsky suggested that underage service would not occur if the Town of Arlington's or larger community's alcohol policies were different. *Kushnirsky Testimony*.

13. Moreover, Mr. Kushnirsky expressed his view that this is an "isolated incident," but did not outline any plans to change policy or practices at the Licensed Premises. *Kushnirsky Testimony*.

Conclusion

On the basis of the findings of fact recited above, the LLA made the following conclusions on the Questions Presented:

(1) Did a violation of the state liquor law occur on the above-referenced premises by sale or delivery of alcoholic beverages to persons under the age of 21 in violation of c. 138 § 34, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?

Yes.

(2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result, including a violation of probationary terms set forth at the Board's November 14, 2016 hearing for a previous alcohol license violation by the license holder, later codified by the Board's decision of November 28, 2016?

Revocation of the License. Revocation shall be stayed until either the expiration of the statutory appeal period, or should the Licensee appeal the decision to the ABCC, the outcome of such appeal proceedings.

However, the five (5) day suspension held in abeyance for violation of the probationary terms set forth for a prior violation of alcohol laws and regulations shall be served immediately.

Discussion

Sections 12 and 34 of Chapter 138 of the General Laws prohibit sale or delivery of alcoholic beverages to any person under 21 years of age. G.L. c. 138, §§ 12, 34. It is undisputed that on February 28, 2016, two underaged persons were sold alcoholic beverages by the Licensee's staff on the Licensed Premises. This sale was in violation of

Chapter 138, as well as the regulations of the Alcoholic Beverages Control Commission at 204 C.M.R. 2.05(2).

The LLA has the authority to grant, revoke and suspend licenses. Their powers are authorized "to serve the public need and ... to protect the common good." G.L. c. 138, §23, as amended through St. 1977, c. 929, §7. "[T]he purpose of discipline is not retribution but the protection of the public." *Arthurs v. Bd. of Registration in Medicine*, 383 Mass. 299, 317 (1981).

The LLA has adopted a policy governing the sale of alcoholic beverages by package stores. See Alcohol Licenses and Regulations, at Policies, Rules, and Regulations of Alcohol Licenses for Package Stores (revised January 12, 2015) ("Policy"). The Policy provides that a first offense of serving alcohol to an underaged person will presumptively lead to a license suspension of three to five days to commence on the same day of the week as the violation. See Policy at p. 14. However, such presumptive policy does not limit the Board's discretion to "impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate." See Policy at p. 14.

In fixing the penalty for sales to underage individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underage individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underage purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

Applied to facts before the LLA, it is not disputed by any party that the Licensee violated State Law, ABCC regulations, and the Town's regulations and policies by selling alcohol to underaged persons. The well-documented operation, conducted at dozens of license holding establishments over three days, and in accordance with ABCC and LLA guidelines and policies, manifestly demonstrates a violation for which there is no justification.

By the Owner and Manager's admission, one of the two operatives looked "very young." The only explanation offered by the cashier, Mr. Imanlieve (an 8-year employee of the License Holder), was that the operatives appeared to be repeat customers. There was no attempt whatsoever to check for identification. The operatives did not present, nor were they carrying fraudulent identification. Nonetheless, other testimony by the Owner and Manager, Mr. Kushnirsky, was at best confused, and at worst attempted deflect responsibility for the violation onto the underaged operatives in confounding fashion.

Furthermore, Mr. Kushnirsky outlined no plans whatsoever to alter current policies and practices at the Licensed Premises in response to this violation, or other violations. He testified about training practices, but presented no documentary evidence of such practices. He contended that he turned over confiscated fake IDs to APD routinely, but APD could not corroborate same, and Mr. Kushnirsky acknowledged that he keeps no logs of incidents regarding attempted purchases by underage persons.

In light of the lack of mitigating factors for this specific violation or any new plans to address the concerns raised by the second violation within one calendar year, the LLA is particularly disturbed by the timeline of violations involving sales of controlled products to underage persons and/or more serious incidents, which is as follows:

- August 2011, Mr. Kushnirsky is approved by the LLA the License for the Licensed Premises;
- January 7, 2013, the Licensed Premises fails a first Tobacco Compliance
 Check;
 - o February 3, 2013 Tobacco Sale Suspension Hearing and Order;
- February 26, 2016, incident regarding the Owner and Manager's possession of medical marijuana without a medical marijuana ID card on the licensed premises;
 - O November 14, 2016 LLA hearing and November 28, 2016 Decision finding a violation and imposing a suspended 5-day suspension for a 1-year probationary period;
- February 28, 2017, the Licensed Premises fails the Alcohol Compliance Check subject to this decision;
- March 16, 2017, the Licensed Premises fails a second Tobacco Compliance Check;
 - o April 6, 2017 Tobacco Sale Suspension Hearing and Order.

This timeline of events demonstrates *three* (3) *incidents* of the sale of either alcohol or tobacco products to underaged persons since 2013, two of which occurred less than one (1) month apart, *in addition to* a serious incident involving possession of a then illicit drug on the premises by the Owner and Manager. The decision placing the Licensed Premises on probation for possession of the illicit substance had been issued only four (4)

months prior to failing the alcohol compliance check which brings the Licensee back before this LLA.

The afore-described pattern of violations and lack of any meaningful assurance that the conditions that allowed for same have or will be addressed offers substantial evidence that the public good is jeopardized by the License Holder's continued operation of Arlington Liquors. In isolation, the violation at issue presents a far different matter for consideration. However, the LLA pauses to emphasize that \$200 in fines, 14-days of suspended cigarette sales, and 5-days of suspended alcohol sales have been meted out to the Licensee since February of 2013, and that the nature of the February 2016 incident has no precedent in recent memory for an establishment that remains in operation.

Based on such facts alone, a three to five day suspension is not sufficient to protect the public good, such measures already clearly having failed to insure future lawful compliance. The unquestionable facts of this most recent violation, its consistency with a pattern of violations, and the lack of a clear or meaningful plan to address it provide the basis needed to make revocation of the license is necessary.

Order

For the reasons stated herein, the above-referenced license is **REVOKED** pending the expiration of the statutory appeal period, or should the Licensee appeal this decision to the ABCC, the outcome of such appeal proceedings. The License Holder shall surrender his license and cease all alcohol sales at such time as his rights to appeal have been exhausted.

The five (5) day suspension held in abeyance for violation of the probationary terms set forth for a prior violation of alcohol laws and regulations shall be served immediately.⁴

Licensee is hereby advised of his right to appeal this decision to the ABCC within five (5) business days of receiving this decision and order.

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By:

TOWN OF ARLINGTON
BOARD OF SELECTMEN

Joseph A. Curro, Jr., Chair

Steven M. Byrne, Vice-Chair

Kevin F. Greeley

Diane M. Mahon

⁴ Upon information and belief, the License Holder has served the five (5) day suspension (June 23-27, 2017) and reported such service to the Office of the Board of Selectmen in the interim between hearing and adoption of this decision, which satisfies the terms of the LLA's previous determination.



Town of Arlington, Massachusetts 730 Massachusetts Ave., Arlington, MA 02476 Phone: 781-316-3000

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Board of Health Minutes 02/06/2013

DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF THE BOARD OF HEALTH

27 Maple Street
Arlington, Massachusetts 02476
Christine M. Connolly, MPH, CHO
Town of Arlington
Director of Health and Human Service

Board of Health Meeting Minute Wednesday, February 6, 2013 Ground Floor Conference Room Arlington Senior Center 5:30pm

Board Members in Attendance: Dr. Marie Walsh Condon, Dr. Michael Fitzpatrick (Chair), Mr. Kenneth Kohlberg Staff in Attendance: Christine Connolly, Director of Health and Human Services and James Feeney, Health Compliance Officer, Natasha Waden, Lead Health Compliance Officer, Gloria Ojimba, Intern.

Other: Juliana Rice, Town Counsel, DJ Wilson, Tobacco Control Director, Public Health Liaison, Mass Municipal Association; Wesley Chin, Sub-regional tobacco control coordinator for Arlington, Belmont, Brookline, Newton and Watertown; Kimona Cameron, Brookline Health Department.

Public in attendance: Adnan Rahim, Tarsem Singh, Davinder Sharma, Musfiqur Rahman, Sankar Marichany, Ranbir Rai, Dan Ramnes, Jani Fowler

Maureen Stephens, Mike Porcano, Ray Laham, A. Sofia Khouri, Anthony Caliendo, Michael Ellakkis, Alex Kurshnisky

December 12, 2012 meeting minutes were approved with the following edits: In agenda item II: removal of the second reference "to a minor"; in agenda item III: removal of "has become problematic" and replace with "was in violation of the 1999 Food Code", in sentence 6: "order" change to "ordered".

Mr. Anthony Caliendo, Owner of 20 Belknap, made a request to move his hearing for a variance from the housing code up on the agenda so that he could attend a zoning meeting in the Town of Lexington. Mr. Caliendo stated he would need to leave by 7:00PM. Dr. Fitzpatrick, Chair stated that the Board would proceed with the current layout of the agenda because he was confident that they would be able to get to his request before 7:00PM.

Inspector Waden reported that on January 7, 2013 a tobacco compliance check was conducted by the Health Department, in which a minor was used to attempt to purchase cigarettes at 25 establishments. One establishment was closed at the time of inspection. A total of 11 establishments out of 24 sold cigarettes to said minor. The minor was a 17 year old male and was trained by Health Department staff on tobacco compliance checks in accordance with MDPH Tobacco Control Program guidelines. Said minor purchased a package of Marlboro cigarettes at Little Joe's Convenience Store at 3:47PM. The minor was not asked his age or for identification. Ranbir Rai was present for the hearing and stated that this establishment has not violated in 6 years and that this was a mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said

suspension.

On January 7, 2013 at 3:53PM said minor purchased a pack of Marlboro cigarettes at Arlington Liquors. The minor was not asked his age or for identification. Nobody from the establishment was present during the hearing. Dr. Walsh-Condon requested that the Board of Selectmen's Office be notified of the sale to a minor and that additional training be conducted with this establishment, as it is under new ownership. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:00PM said minor purchased a pack of Marlboro cigarettes at Mystic Street Gulf. The minor was not asked his age or for identification. Michael Elakis was present for the hearing and stated that the clerk did not do his job in checking for identification. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:15PM said minor purchased a pack of Marlboro cigarettes at Arlington Shell. The minor was not asked his age or for identification. Ana Sofia Khouri, owner, was present for the hearing and stated that this was the first violation for them, but that clerk had been working at this location for a long time. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:31PM said minor purchased a pack of Marlboro cigarettes at CVS Pharmacy, 833 Mass Avc. The minor was not asked his age or for identification. Jani Fowler, Store Manager, was present for the hearing and stated that all new employees go through training when they are first hired. In accordance with corporate policy, the employee was terminated. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:41PM said minor purchased a pack of Marlboro cigarettes at Symmes Mini Mart. The minor was not asked his age or for identification. Ray Laham was present for the hearing and stated that the clerk used bad judgment, there were two clerks at the time and one thought the other checked for identification. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and the issuance of a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:51PM said minor purchased a pack of Marlboro cigarettes at Walgreens, 324 Mass Ave. The minor was not asked his age or for identification. Mike Porcaro, Store Manager, was present for the hearing and stated that all staff has been retrained and the clerk who sold to the minor was disciplined with a final written warning. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and the issuance of a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:58PM said minor purchased a pack of Marlboro cigarettes at Mass Convenience, 245 Mass Ave. The minor was not asked his age or for identification. Davindar Sharma, owner, was present for the hearing and stated that all the tools are in place, the clerk has worked there for over 10 years and he just made a mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 5:06PM said minor purchased a pack of Marlboro cigarettes at Dagg's. The minor was not asked his age or for identification. Musfigur Rahman was present for the hearing and stated that his father was helping him out and used bad judgment and that it was an honest mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law.

Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 5:19PM said minor purchased a pack of Marlboro cigarettes at Boyle's Market. The minor was not asked his age or for identification. Tarsem Singh was present for the hearing and stated that the clerk was a new employee who had been trained, but that he made a mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 5:31PM said minor purchased a pack of Marlboro cigarettes at Arlington Gulf. The minor was not asked his age or for identification. Adnan Rahim was present for the hearing and stated that there was confusion between the gas attendant and the mechanic. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

Alex Kurshnisky, owner of Arlington Liquor's, introduced himself at the end of the tobacco hearings. The Board reviewed the disciplinary action that had been voted on for this establishment.

- (a) Inspector Waden reviewed the Draft regulations for Restricting the Sale of Tobacco Products and Nicotine Delivery Products in the Town of Arlington. DJ Wilson from Mass Municipal Association was also present to help facilitate the discussion of the regulations. The following areas were discussed in detail: Section A: Statement of Purpose, the Board would like to keep the current language, as it proves the need to implement all aspects of this regulation. Section D: Tobacco and Nicotine Delivery Product Sales Prohibited: The Board would like to increase the age of tobacco sales from 18 to 21. DJ Wilson provided an overview of how the Town of Needham implemented this over a few years. The Board approved the language. The Board would like to include language requiring the establishment to post signage about tobacco cessation. Inspector Waden will present draft language to the Board at the next meeting requiring signage for sales to persons under age 21. SECTION E: TOBACCO AND NICOTINE DELIVERY PRODUCT SALES PERMITS: the fee for a permit will remain at \$500. Furthermore, the Board would like to change the mandatory retailer training to annually, change the number of permits to 19 for capping purposes; and reduce the number of permits to 15 by 2018. SECTION F: CIGAR SALES REGULATED: The Board request that item 2b and 2c be removed SECTION O: VIOLATIONS, when considering cumulative violations the Board would like to review a 36 month violation history as opposed to a 24 month history, continue with fine schedule of \$100, \$200, \$300, remove "a minimum" from item 1c, and add language ("or failure") to item 2 as requested by Town Counsel.
- (b) DJ Wilson reviewed the proposed draft regulations Prohibiting Smoking in Workplaces and Public Places. The following areas were discussed in detail: SECTION 4: SMOKING PROHIBITED, DJ Wilson explained that it might be difficult for staff to enforce item (d) as it pertains the prohibition of smoking within 15 feet of an entranceway accessible to the public. The Board tabled this discussion until the next meeting.

The Board agreed to hear agenda item XVI and XVII concerning an update on one property (18 Belknap) and a variance request on another property (20 Belknap) both owned by Mr. Anthony Caliendo.

Inspector Feeney provided the Board with an update regarding existing violations concerning 18 Belknap Street that have not been corrected. Feeney first read two letters into the record, one from a group of neighbors revealing their concerns about disruptive tenants and maintenance of the property and the other from Deputy Chief James Bailey regarding the fire alarm system, the front stairwell and the rear fire escape. Mr. Caliendo stated that he has no authority to do anything about the tenants and insists that his building is well maintained. Feeney reviewed with the Board that Mr. Caliendo had requested a hearing at the last meeting to discuss violations pertaining to the fire escape and lack of an automatic door locking mechanism. At that hearing the Board voted to uphold the order to correct that had previously been issued by Inspector Feeney. Mr. Caliendo reported that he would be filing an appeal to the BBRS concerning the automatic lock, and that he was still working on the repairs to the fire escape. Feeney displayed pictures of the repairs that had currently been made to the fire escape, to which the Board deemed unacceptable. Mr. Caliendo stated that he is a licensed contractor and that according to the regulations it is in compliance. The Board requested a recommendation from Feeney concerning the next steps. Feeney recommended that the health department move forward with filing a complaint in court for failure to correct these violations within the allotted time frame. The Board unanimously approved the recommendation.

Inspector Feeney provided the Board with a copy of the Order letter dated January 15, 2013 addressed to property owner Anthony Caliendo. Feeney went on to explain that Mr. Caliendo is requesting a variance from item #3, the installation of

mechanical ventilation in the bathroom that exhausts to the exterior. Occupant Sankar Marichamy was present at the hearing and explained that his daughter has asthma and that the second hand smoke, which he believes is coming from the neighboring unit, entering through his bathroom, makes it difficult for his daughter to breathe. Fecuey explained in a memo to the Board that there is no duct work for the fan and it appears that the air being removed from the bathroom is being pushed into the open wall cavity. Mr. Caliendo stated that he has never had any complaints regarding this matter and that because the house is over 100 years old; it is not possible to make the repair. Dr. Fitzpatrick requested that the health department staff contact the building department to conduct an inspection to determine if it would be possible. Director Connolly explained that it would not likely be possible to have the building inspector out at this property. Feeney explained that a professional such as an HVAC person would be able to provide feedback to the owner on how such repairs could be made. Therefore, the Board unanimously voted to deny the variance.

Agenda item XIV: Medical Marijuana. DJ Wilson provided an overview of the status of medical marijuana by stating the following: As of 1/1/13 Mass Department of Public Health has 90 days to write regulations, at this time, it does not look like the first dispensaries will be opening until early fall, Mass Department of Public Health is looking at sample regulations from Maine, Colorado and New Mexico. Juliana Rice, Town Counsel mentioned that there are two warrant articles being proposed before Town meeting, 1. Which will establish zoning requirements for dispensaries' and 2. In the event that regulations are not in place, this would provide a local moratorium on allowing dispensaries to open until the proper regulations are in place.

Inspector Feeney led the discussion of the draft Bodywork regulations, explaining that at this time there are no State model regulations for Bodywork; therefore, best practices from the Towns of Newton and Belmont were taken under consideration when drafting these regulations. Feeney explained that the need for such regulations was discovered during compliance checks that were conducted by a State inspector and a local police officer. During these checks most therapists identified themselves as body workers as opposed to Massage Therapists, as Body Workers are exempt from the state massage law. Dr. Walsh asked about the inclusion of Reiki in these Regulations, and recommended staff reaches out to the school of acupuncture for guidance and assistance. Feeney agreed to reach out to local experts and stakeholders, and to revise according to the Board's comments; he also stated the Regulations were created in an expedited fashion and would be revised for the next meeting.

Juliana Rice, Town Counsel, reported to the Board that a group of High School Students proposed a warrant article for Town Meeting to restrict the use of water bottles less than 1 liter.

Environmental up dates were tabled until the next meeting.

Restaurant updates: Feeney reported that Family Injera installed a grease trap, and that Arlington Restaurant and Diner has been working with a consultant. Inspector Waden reported on the following establishments: Barismo moved one door down from their previous location, Napoli Pizza is under new ownership, Wings Over Arlington has opened, Something Sweet Without Wheat has opened. In addition Waden reported that plans for Menotomy Grill and Tavern, Frozland and Sczechuan's Dumpling have been approved. The following establishment did not renew their food permits for 2013: Nana's Market, Jade Garden, Gemma, Foodmaster and Ada-Lula Pastry. Lastly, Whole Foods plans to open in the Foodmaster location by September.

No public comment.

Meeting adjourned at 8:04pm



Town of Arlington Department of Health and Human Services

Office of the Board of Health 27 Maple Street Arlington, MA 02476

Tel: (781) 316-3170 Fax: (781) 316-3175

Board of Health Meeting Minutes Wednesday, April 6, 2016 BOH Conference Room Arlington Senior Center 5:30pm

Board Members in Attendance: Dr. Marie Walsh Condon, Mr. Kenneth Kohlberg, Dr. Michael Fitzpatrick

Staff in Attendance: Christine Bongiorno, Director, James Feeney, Health Compliance Officer, Natasha Waden, Health Compliance Officer

Others in Attendance: Alex Kushnirsky, Ranbir Rai, Tarsem Singh, Theresa Campbell, Robert Bongiorno, Chris Rozanitis, Jess Lawrence

Recording Secretary: Ivy Laplante, Arlington Youth Health & Safety Coalition Director

Meeting called to order by Dr. Marie Walsh Condon at 5:35 pm.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the February 3, 2016 meeting minutes as amended.

Vote: Motion approved unanimously (3-0)

Hearing: Boyles Market: Tobacco/Nicotine Delivery Product Sales Violation

Mr. James Feeney informed the Board that during a compliance check on March 16, 2016, a 19 year old male agent entered Boyles at 9:41am, and purchased a "Blu" e-cigarette (e-cig) from an adult female clerk who asked the agent for his identification. Mr. Feeney delivered a fine of \$100 to Boyles and presented a letter to appear at this hearing for violating the Arlington Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products, which prohibit the sale of tobacco and nicotine delivery products to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative, Mr. Tarsem Singh, if he would like to speak to the Board and address the violations referenced. Mr. Tarsem Singh stated the female clerk who sold the product has worked at the Medford location for over 1 year, and was called in to work in the Arlington location on March 16. It is to be noted that the city of Medford has regulations restricting the sale of tobacco products to age 18. The adult female clerk, Ms. Theresa Campbell, was present at the meeting and apologized for her mistake.

Dr. Walsh-Condon then asked the manager what his plans were to prevent this from happening in the future. Mr. Tarsem Singh stated he would do better to inform all his workers about the local regulations in each community, and explore establishing a store policy to punish the clerks who violate regulations. Mr. Tarsem Singh stated since the law came into effect in March 2015, there have been no problems at the store. Dr. Walsh-Condon noted Boyles Market has had no prior violations. Dr. Fitzpatrick commented on the price of the device, noting it cost \$10.51 for the e-cig.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kohlberg, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Little Joe's Convenience: Tobacco/Nicotine Delivery Product Sales Violation

Mr. Feeney informed the Board that during a compliance check on March 16, 2016, a 19 year old male agent entered Little Joe's Convenience at 9:06am and purchased a "Blu" e-cigarette (e-cig) from an adult male clerk who asked the agent for his identification. Mr. Feeney delivered a fine of \$100 to Little Joe's and presented a letter to appear at this hearing for violating the Arlington Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products, which prohibit the sale of tobacco and nicotine delivery products to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative, Mr. Ranbir Rai, if he would like to speak to the Board and address the violations referenced. Mr. Rai stated the male clerk made an error, and he has already addressed the issue with the clerk. Mr. Rai noted Little Joe's did have a prior violation in 2007.

Dr. Walsh-Condon then asked the owner what his plans were to prevent this from happening in the future. Mr. Rai stated he would discuss the Town regulations with his clerks again, and was not aware that the clerk who violated the regulation checked the agent's ID. Dr. Walsh-Condon reminded Mr. Rai it is his responsibility as the owner to ensure the clerks know the laws in Town.

A Motion was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Michael Fitzpatrick, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Arlington Liquors: Tobacco/Nicotine Delivery Product Sales Violation

Mr. Feeney informed the Board that during a compliance check on March 16, 2016, a 19 year old male agent entered Arlington Liquors at 9:14am and purchased "Marlboro" cigarettes from an adult female clerk who did not

ask the agent for his identification. Mr. Feeney delivered a fine of \$100 to Arlington Liquors and presented a letter to appear at this hearing for violating the Arlington Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products, which prohibit the sale of tobacco and nicotine delivery products to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative (the owner), Mr. Alex Kushnirsky, if he would like to speak to the Board and address the violations referenced. Mr. Kushnirsky stated he was not aware the Town regulations were to prohibit sales under 21, and thought it was only 18+.

Dr. Walsh-Condon then asked the owner what his plans are to prevent this from happening in the future. Mr. Kushnirsky stated he will conduct a new training of staff and check to see if it was an isolated incident. Dr. Fitzpatrick commented with a concern that the owner does not know about Town tobacco regulations. Mr. Kushnirsky informed the Board his manager went to the Tobacco Retailer Training, and he needed to speak to the manager about the new regulations.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Christo's Market: Tobacco/Nicotine Delivery Product Sales Violation

Mr. Feeney informed the Board that on March 16, 2016, during a tobacco compliance check, a 19 year old male agent entered Christo's Market at 9:59am and purchased "Marlboro" cigarettes from an adult male clerk who asked the agent for his identification. Mr. Feeney delivered a fine of \$100 to Christo's Market and presented a letter to appear at this hearing for their violation of Arlington regulations to prohibit the sale of tobacco to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative, Mr. Chris Rozanitis, if he would like to speak to the Board and address the violations referenced. Mr. Rozanitis stated at the time he sold to the agent, his mother was sick in the hospital and he was not thinking clearly.

Dr. Walsh-Condon then asked the owner what his plans are to prevent this from happening in the future. Mr. Rozanitis promised to be more careful, especially when dealing with young customers.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Keeping of Hens - 18 Brattle St. #1

Mr. Feeney informed the Board of Ms. Jess Lawrence's application to keep hens on her property. He noted the plans as submitted in the application are compliant with the hen keeping bylaw, and comments from abutters were supportive of the application. Mr. Feeney questioned the current location of the coop, and noted, according to Town bylaws, the coop must be 6ft. from the property line. Ms. Lawrence informed the Board she has been unable to determine the exact location of the property line due to the brook. Dr. Walsh-Condon recommended Ms. Lawrence check with other Town departments to determine her exact property line.

A Motion was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Michael Fitzpatrick, to approve the application for keeping of hens with the condition the coop is located 6 feet from the property line.

Vote: Motion Approved Unanimously (3-0)

Hearing: Variance Request: Minimum Standards for Swimming Pools: Float Tonic LLC.

Mr. Feeney informed the Board that Mr. Stephen Tomadakis was ill and was unable to attend the hearing. The Board discussed the history of float tanks and examined other communities' current regulation of these therapeutic pools. Dr. Walsh-Condon reaffirmed the notion that float tanks should not be exempt from the pool code. Dr. Fitzpatrick noted that the Board has previously set new regulations without precedent. Dr. Walsh-Condon reminded the Board this was a discussion only, not a hearing.

Discussion: Regulation Restricting the Sale of Medical Marijuana

Mr. Feeney informed the Board of additional regulations provided for review by Natick. The Board discussed having Mr. Feeney amend the current draft Regulation to include the following: requiring fire extinguishers at home cultivation sites, allowing violations of the State regulation to also be considered violations of the local Regulation, requiring the dispensary to notify the Board of any Department of Public Health visit within 24 hours, signage prohibiting entrance to the dispensary to anyone without a valid Registration Card, and requiring a dispensary to deliver products to those with a verified hardship.

The Board discussed comments made during the public hearing on the draft Regulation at the previous Board of Health meeting. Mr. Kohlberg reminded the Board of the comments made by a resident who believed limiting the supply of marijuana to 30 days could create a hardship for those who will have difficulty accessing the dispensary more frequently. Dr. Walsh-Condon stated the restriction of medical marijuana to a 30-day supply is warranted because prescriptions for controlled substances have historically been limited to 30 days. Dr. Walsh-Condon also noted the requirement for a dispensary to deliver to any patients who are unable to physically access the dispensary.

A comment was made at the public hearing regarding the possibility of disallowing a dispensary from engaging in the future sale of recreational marijuana. Mr. Feeney reminded the Board this Regulation pertained only to the sale of medical marijuana, and they would not be able to disallow an activity that is considered legal.

Mr. Kohlberg suggested the word "medical" be added throughout the Arlington Regulation to alleviate any confusion between medical marijuana regulations and recreational marijuana.

Dr. Walsh-Condon asked how the Board will regulate "edible" medical marijuana products. Mr. Feeney noted that the FDA states marijuana is not a food and therefore cannot be regulated under FDA code, but the Board can still ensure the food preparation is safe and sanitary. Dr. Walsh-Condon suggested the Board adds a provision that references the minimum standards of food preparation when preparing medical marijuana edibles.

Dr. Walsh-Condon noted due to no substantial changes in the Regulation, the next Board meeting on May 18th will be a hearing to adopt the Regulation Restricting the Sale of Medical Marijuana.

Discussion: 2013/2015 FDA Model Food Code

Mrs. Waden informed the Board that Ms. Maureen Lee, a contracted health compliance officer, plans to facilitate the purchase and use of electronic software for Arlington inspections. Mrs. Waden proposed Arlington should adopt the 2013 food code with 2015 addendums, similar to Newton and Cohasset. Mr. Feeney noted Arlington currently enforces the 1999 food code, which does not cover the specialized procedures being used today. Mr. Kohlberg commended Mrs. Waden on her proactive approach to adopting these new regulations.

Discussion: Food Establishment Plan Review Policy

Mrs. Waden discussed formalizing the current policy requiring food establishments that are changing ownership to undergo a plan review. This policy would require new owners to submit plan documents, procedures, menus, operations, etc. to the health compliance officers before officially re-opening establishment.

Environmental Updates

No environmental updates at this time.

Restaurant Updates

Mrs. Waden informed the Board that Fashion Cake Boutique has closed, and the food establishment formerly known as Zocalo will reopen as The Commune Kitchen.

Public Health Nurse Updates

Mrs. Waden informed the Board:

- An 8 year old boy recently passed away. The boy had been diagnosed with influenza but also had underlying medical conditions.
- There has been a flu spike in Arlington 57 confirmed cases since September 2015.

- Arlington still has state supplied flu vaccine and the Public Health Nurse, Mrs. Kara Katz, has been contacting local physician's offices for distribution.
- 3 confirmed cases of mumps in Arlington.

Public Comment

None

Other:

A Motion was made by Mr. Kohlberg, which was seconded by Dr. Fitzpatrick, to adjourn the meeting at 8:06 pm.

Vote: Motion approved unanimously (3-0)

Meeting was adjourned at 8:06 pm.

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR DANIEL J. DUNN, VICE CHAIR KEVIN F. GREELEY STEVEN M. BYRNE JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE

TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

DECISION of the LOCAL LICENSING AUTHORITY

Licensee:

Arlington Liquors d/b/a "Alexander Liquors"

Licensed Premises:

94B Summer Street

(Arlington Liquors)

License No.:

003000048

License Type:

Package Store License

Expiration Date:

December 31, 2016

On November 14, 2016, after proper notice and hearing, the Town of Arlington's Board of Selectmen, in its capacity as local liquor licensing authority ("LLA"), unanimously voted to impose a five (5) day license suspension held in abeyance for a one-year probationary period to end on November 30, 2017. Should this LLA find the license holder in violation of G.L. c. 138, any regulation promulgated by the Alcoholic Beverages Control Commission ("ABCC") or its own regulations, within such a period,

the license shall be immediately suspended for five (5) days in addition to any suspension or other sanction for the new violation.

It is also the expectation of this Board, that the license holder make arrangements to bring the licensed premises into compliance with sign regulations codified in the Town's Zoning Bylaws, and up to the standards expected of license-holders in Arlington generally.

In accordance with G.L. c. 138, § 23, the LLA hereby provides this statement of reasons for its action.

Procedural History. Following a thorough investigation, including interviews, reviews of pertinent local and state records, and further evidence collected, by the Arlington Police Department ("Department"), it was determined that on or about the evening of February 26, 2016, Arlington Liquors staff called the Department for assistance with a medical emergency on the licensed premises — 94B Summer Street, Arlington. APD Patrolman Officer Scott Urquhart along with Sergeant Gregory Flavin responded and rendered aid to the license holder, Mr. Alex Kushnirsky. In the process of rendering such aid, 60 milligrams of edible marijuana was recovered from Mr. Kushnirsky's person. Subsequent investigation confirmed that Mr. Kushnirsky was not then licensed or otherwise permitted to possess medical marijuana under the Commonwealth Medical Use of Marijuana program.

As a duly appointed agent for the LLA, the Department in conjunction with the Arlington Legal Department recommended a hearing to determine if any violations of state or local alcohol laws occurred.

In accordance with G.L. c. 138, § 23(4), the Board convened a hearing on November 14, 2016, at approximately 7:15 p.m. to consider whether or not any violation of c. 138, ABCC regulations or LLA regulations occurred at Arlington Liquors on the evening at issue. The licensee was notified of the hearing by certified letter dated November 2, 2016 and acknowledged receipt of same.

Questions Presented.

- (1) Did a violation of the state liquor law occur on the above-referenced premises by an agent, manager, or employee's possession of marijuana on the license premises under G.L. c. 138 sec. 64 and/or 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?
- (2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result of any such violation?

Evidence.

The following witnesses appeared and testified:

- (1) Police Officer Scott Urquhart, Arlington Police Department: summarized investigatory findings of the Department, including information codified in Incident Report No. 16004573 and relevant investigative supplements ("Incident Reports").
- (2) Alexander Kushnirsky Owner and Manager of Arlington Liquors with Robert Panico, Esq., his counsel provided the Licensee's recitation of events, evidence of mitigating circumstances, as well as a list of remedial actions taken in response to a number of issues raised during the hearing.

Findings of Fact. On the basis of the evidence presented at the November 14, 2016 Hearing described above, the LLA made the following findings of fact:

¹ The License Holder was provided a copy such incident reports in advance of the hearing by the Legal Department.

- On February 26, 2016, at approximately 9:02 p.m. Sgt. Gregory Flavin
 and Officer Scott Urquhart were dispatched to 94 Summer Street
 (Arlington Liquors) to investigate a report of an unconscious person inside
 the premises. *Incident Report; Urquhart Testimony*.
- Upon arrival, APD personnel spoke with an Arlington Liquors employee,
 Roman Ivanov, who led the officers to an office inside Arlington Liquors
 where owner/manager Alex Kushnirsky was found unresponsive. *Incident*Report; Urquhart Testimony.
- Arlington Liquors employee Almaz Imamaliev noted to officers that Mr.
 Kushnirsky had arrived at Arlington Liquors earlier that evening at approximately 6:30 p.m. and went into his office. *Incident Report*;
 Urquhart Testimony.
- Officer Urquhart rendered aid to Mr. Kushnirsky, who was revived and received further assistance from the Arlington Fire Department. *Incident* Report; Urquhart Testimony.
- 5. However, a check of the immediate area in which officers found Mr. Kushnirsky possessed 60 milligrams of "Kool Ballz" THC Edible Marijuana in his pocket, which was seized and kept in evidence by APD. Incident Report; Urquhart Testimony.
- Mr. Kushnirsky did not deny possessing or consuming marijuana that evening, but denied consuming any other drugs. *Incident Report*; Urguhart Testimony; Kushnirsky Testimony.

- 7. At the time of the incident in question, Mr. Kushnirsky was not a registered medical use of marijuana patient in the Commonwealth of Massachusetts., but has since obtained a medical use of marijuana card to help manage a chronic condition which has required numerous surgical interventions. Incident Report; Urquhart Testimony; Kushnirsky Testimony.
- 8. The license holder has not had previous alcohol-related violations, but has been penalized for underage tobacco sales previously. Mr. Kushnirsky described remedial actions take to address such violations. Kushnirsky Testimony.

<u>Conclusion</u>. On the basis of the findings of fact recited above, the LLA made the following conclusions on the Questions Presented:

(1) Did a violation of the state liquor law occur on the above-referenced premises by an agent, manager, or employee's possession of marijuana on the license premises under G.L. c. 138 sec. 64 and/or 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?

Yes.

- (2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result?
 - A five (5) day license suspension held in abeyance for a one-year probationary period to end on November 30, 2017.

Discussion.

The ABCC and courts have long upheld that illegality on the premises of a licensed establishment may serve as grounds for modification, suspension, or revocation of a liquor license. 204 C.M.R. 2.05(2) states:

No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not.

To that end, "disorder, disturbance or illegality of any kind" includes the possession of illicit drugs and paraphernalia on licensed premises. See e.g., Rico's of the Berkshires, Inc. v. Alcoholic Beverages Control Commission, et al., 19 Mass. App. Ct. 1026, 477 N.E. 2d 174 (1985)(possession of cocaine and drug paraphernalia on licensed premises by an employee sufficient for penalty under 204 CMR 2.05(2)). While the landscape regarding marijuana possession has changed in the Commonwealth, at the time of the incident in question it is beyond dispute that it was unlawful to possess one ounce or less marijuana pursuant to G.L c. 94C §32L.

In the matter before this Board, it is uncontested that Mr. Kushnirsky, the owner and manager of Arlington Liquors possessed on his person a medical marijuana product without then being a registered medical marijuana cardholder in the Commonwealth. As such, there is no question that an illegality took place on the premises and the terms of Mr. Kushnirsky's license were violated. The Board also found additional cause for concern in previous tobacco sale violations and the general conditions of the licensed premises, which may be in violation of other Arlington rules and regulations with respect to signage and other matters.

The Board appreciates that Mr. Kushnirsky has taken steps to address some of these concerns, and further, that he obtained a personal medical marijuana card to help him manage the medical conditions he represents led to the mistakes he made in possessing marijuana on the premises on the evening in question. We pause however to caution that a medical marijuana card is not a license to override the strictures of 204

C.M.R. 2.05(2), to work in the capacity as a liquor store owner or manager while impaired by marijuana, alcohol, or any other substance. Nonetheless, we credit his testimony that he has taken steps to address his own mistake, and will rectify the appurtenant conditions of concern this Board raised to his attention.

Therefore, considering all of the above-discussed evidence, the LLA chooses to issue a five (5) consecutive day suspension, to be held in abeyance for a one-year period of probation ending on November 30, 2017. Should any violation occur within that period, Arlington Liquors will serve said 5-days beginning on the same day of the week the original violation took place, a Friday.

Order. For the reasons stated herein, the above-referenced license is in PROBATION for a period of one year to end on November 30, 2017. Should the licensee violate the terms of its license, c. 138, or any regulation of the ABCC during such period, the license will be <u>SUSPENDED</u> for five (5) consecutive days to commence on a Friday, in addition to further penalties the licensee may face for a future violation.

Licensee is hereby advised of their right to appeal this decision to the ABCC within five (5) business days of receiving this decision and order.

Dated: November 28, 2016

TOWN OF ARLINGTON
BOARD OF SELECTMEN

MALON
Diane M. Mahon, Chair

Daniel J. Dunn, Vice-Chair

Kevin F. Greeley

Joseph A. Curro, Jr.

Steven M. Byrge



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # . 17005217 / 1 OFFICER PORCIELLO RANK INSP REVIEW STATUS APPROVED.

INCIDENT #17005217 DATA

As Of 02/28/2017 08:04:46

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION · 112 MYSTIC ST APT/UNIT#

DATE/TIME REPORTED

02/27/2017 18:59:17

DATE/TIME OCCURRED
On or about 02/27/2017 18:59

INCIDENT TYPE/OFFENSE

ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005217-1/PORCIELLO (INSP)

DATE/TIME OF REPORT 02/27/2017 18:59:17 TYPE OF REPORT INCIDENT REVIEW STATUS
APPROVED

NARRATIVE

On February 27, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. Prior to conducting the checks both operatives were breath tested using the portable breath test. The male blew a 0.00 (test 103) and the female also blew a 0.00 (test 104). The operatives were photographed and provided me with parental releases. They were given a copy of the recommended guidelines for conducting underage sting operations. They both read, understood and signed the recommended guidelines. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplant from the Arlington

Youth and Safety Coalition provided us with 100 dollars to conduct the compliance checks. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following are the restaurants/businesses that were closed.

- -Noodle Market located at 470-472 Mass Ave.
- -Punjab Fine Indian Cuisine located at 485-487 Mass Ave.
- -Sabzi located at 352A Mass Ave.
- -Commune Kitchen located at 203 A&B Mass Ave.
- -Little Q Pot & Szechuan House located at 196 Mass Ave.
- -Ristorante Olivio located at 193-201 Mass Ave.
- -Sugo Cuicina Italiano located at 164 Mass Ave.
- -Arlington Restaurant and Diner located at 134 Mass Ave.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- -At 5:02PM the operatives entered Menotomy Grill and Tavern located at 25 Mass Ave, No alcohol was served.
- -At 5:08PM the operatives entered Spy Pond Beer & Wine (Giles Wine and Spirits) located at 137 Mass Ave. no alcohol was sold.
- -At 5:11PM the operatives entered Za located at 138 Mass Ave. No alcohol was served.
- -At 5:57PM the operatives entered Otto located at 202 Mass Ave. No alcohol was served.
- -At 6:21PM the operatives entered Acitron located at 473 Mass Ave. No alcohol was served.
- -At 6:28PM the operatives entered Tango located at 464 Mass Ave. No

alcohol was served.

- -At 6:31PM the operatives entered Singh Saab Fine Indian located at 444 Mass Ave. No alcohol was served.
- -At 6:34PM the operatives entered Shanghai Village located at 434-436 Mass Ave. No alcohol was served.
- -At 4:43PM the operatives entered Menotomy Beer and Wine located at 80 Broadway. No alcohol was sold.
- -At 4:51PM the operatives entered Fusion Taste located at 303A-305 Broadway. No alcohol was served.
- -At 4:53PM the operatives entered the Common Ground located at 319 Broadway. No alcohol was served.

The following is a list of the compliance checks that resulted IN A VIOLATION with a brief description of the violation.

- -At 5:19PM the operatives entered Zhu's Garden located at 166 Mass Ave. At 5:25PM the operatives exited Zhu's Garden and returned to our vehicle. The operatives informed us that they were seated inside and had an Asian woman wearing black clothing as a server. The operatives ordered 2 Peak Fresh Cut beers and were served the alcohol. The total cost of the purchase was \$10.70. The operatives provided me with the receipt and the change which amounted to \$9.30. Myself and Detective Sergeant Gallagher entered Zhu's Garden, observed that there were no other customers in the restaurant and spoke to the manager now known to us as Bowei Zhu. Zhu acknowledged the sale and directed me to the server who identified herself as Fanguyan Chen. Chen acknowledged that she had served the two operatives.
- -At 5:34PM the operatives entered Duet located at 190 Mass Ave. At 5:41PM the operatives exited Duet and returned to our vehicle. The operatives informed us that they sat at the restaurant's bar and ordered 2 Kronenbourg 1664 beers and were served the alcohol. The total cost of the purchase was \$12.84. The operatives provided me with a receipt and the change which amounted to \$7.16. They reported that the bar tender was a white male who was approximately 6'00" with an average build. The bar tender informed the operatives of upcoming wine tastings. After receiving their receipt they left the restaurant. Myself and Detective Sergeant

Gallagher entered Duet, observed I couple seated at a table and I man at the bar. We met the manager at the greeting booth and informed her that there had been an alcohol violation and 2 underage operatives were served alcohol at the bar. I was directed to the bar where I met the bar tender who identified himself as Tim Hurlburt. It should be noted that the receipt lists the server as Timothy H. Hurlburt acknowledged the sale to the two operatives. He stated, "I didn't ID them, my fault."

It should be noted that the serves were never witnessed by Inspectors and were reported to us by the operatives.

Once back at the station the 2 receipts from Zhu's Garden and Duet were bagged as evidence together. The evidence bag was then secured in evidence locker 9. The operatives were again breath tested using the portable breath test. The male blew a 0.00 (test 105) and the female also blew a 0.00 (test 106). The operative's property was returned.



ARLINGTON POLICE ARLINGTON, MA

INCIDENT#/REPORT# 17005303 / 1

OFFICER PORCIELLO BANK INSP

REVIEW STATUS APPROVED

INCIDENT #17005303 DATA

As Of 03/02/2017 08:02:10

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION 112 MYSTICST APT/UNIT#

DATE/TIME REPORTED

02/28/2017 18:48:30

DATE/TIME OCCURRED On or about 02/28/201718:48

INCIDENT TYPE/OFFENSE

ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005303 - 1 / PORCIELLO (INSP)

DATE/TIME OF REPORT 02/28/2017 18:48:30

TYPE OF REPORT INCIDENT

REVIEW STATUS **APPROVED**

On February 28, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. Prior to conducting the checks both operatives were breath tested using the portable breath test. The female blew a 0.00 (test 107) and the male also blew a 0.00 (test 108). The operatives were photographed and provided me with parental releases. They were given a copy of the recommended guidelines for conducting underage sting operations. They both read, understood and signed the recommended guidelines. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplant from the Arlington

Youth and Safety Coalition provided us with 100 dollars to conduct the compliance checks on the previous evening and the remaining money was used to conduct the compliance checks on today's date. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- -At 4:59PM the operatives entered Sono located at 469 Summer St #3&4. No alcohol was served.
- -At 5:32PM the operatives entered Scutra located at 92 Summer St. No alcohol was served.
- -At 5:08PM the operatives entered Not Your Average Joes located at 645 Mass Ave. No alcohol was served.
- -At 5:15PM the operatives entered Thai Moon located at 663 Mass Ave. No alcohol was served.
- -At 5:17PM the operatives entered Pasha Mediterranean located at 669A Mass Ave. No alcohol was served.
- -At 5:20PM the operatives entered Tryst located at 689 Mass Ave. No alcohol was served. .
- -At 5:25PM the operatives entered Mr. Sushi located at 693 Mass Ave. No alcohol was served.
- -At 5:53PM the operatives entered Toraya located at 890 Mass Ave. No alcohol was served.
- -At 6:00PM the operatives entered the Mystic Wine Shoppe located at 901 Mass Ave. No alcohol was sold.
- -At 6:06PM the operatives entered Jimmy's Steer House located at 1111 Mass Ave. No alcohol was served.
- -At 6:13PM the operatives entered Szechuan's Dumpling located at 1360 Mass Ave. No alcohol was served.

-At 6:18PM the operatives entered Thai E-Sarn located at 1377-1381 Mass Ave. No alcohol was served. ...

-At 6:35PM the operatives entered Nina Trattoria & Pizzeria located at 1510 Mass Ave. No alcohol was served. It should noted that this restaurant has not begun selling beer and wine.

The following is a list of the compliance checks that resulted IN A VIOLATION with a brief description of the violation.

-At 4:48PM the operatives entered Arlington Liquors located at 94 Summer St. At 4:50PM the operatives exited Arlington Liquors and returned to our vehicle carrying a six pack of 12 ounce Bud Light cans. The operatives informed us that the cashier sold them the six pack while failing to ask for identification. The operatives provided us with the sales receipt which documented that their purchase of the six pack amounted to \$7.00. The operatives returned the \$13.00 in change. They described the cashier as being a male with dark hair and having a tanned complexion. I entered Arlington Liquors and spoke to the cashier who identified himself as Almaz Imanlieve, I identified myself as an Arlington Police Detective and informed him that he sold a six pack to 2 underage operatives. Almaz acknowledged the sale and reported that he thought he had seen them in the business in the past,

-At 6:21PM the operatives entered Prime, Your Local Butcher located at 1398 Mass Ave. At 6:23 the operatives exited Prime, Your Local Butcher carrying a six pack of 12 ounce Heineken bottles. The operatives informed us that the cashier sold them the six pack while failing to ask for identification. The operatives provided us with a sales receipt which documented that their purchase of the six pack amounted to \$10.99. The operatives returned the \$9.01 in change. The cashier was described as a white male in his twenties with curly brown hair. As we were seated in the car an employee exited the business carrying trash. The operatives identified the employee as being the cashier who sold them the six pack. I then entered the business and spoke to the manager now known to me as Scott Carta. I identified myself as an Arlington Police Detective and informed Carta that a violation had occurred. I then directed Carta's attention to an employee who had been identified by the operatives as selling the six pack, Carta reported that the employee's name is James Cerone. We were able to speak to Cerone who acknowledged selling the six pack of Heineken without asking for identification.

It should be noted that the serves were never witnessed by Inspectors and were reported to us by the operatives.

Once back at the station 2 receipts from Arlington Liquors and Prime, Your Local Butcher were bagged as evidence together. The Bud Light six pack (12 oz cans) and the Heineken six pack (12 oz bottles) were tagged as evidence separately. The evidence bag containing the receipts and the 2 tagged six packs were then secured in evidence locker 3. The operatives were again breath tested using the portable breath test. The female blew a 0.00 (test 109) and the male also blew a 0.00 (test 110). The operative's property was returned. It should be noted that the tagged evidence indicates that the evidence was placed in locker 7. However, locker 7 was not operating correctly and the evidence was then placed in locker 3.

The remaining \$58.47 will be returned to Ivy Laplant.



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # 17005303 / 2

OFFICER PORCIELLO

RANK

REVIEW STATUS APPROVED

INCIDENT #17005303 DATA

As Of 03/02/2017 08:02:10

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION

112 MYSTIC ST

APT/UNIT#

DATE/TIME REPORTED

02/28/201718:48:30

DATE/TIME OCCURRED . On or about 02/28/2017 18:48

INCIDENT TYPE/OFFENSE

TBIESA

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005303 - 2 / FORCIELLO (INSP)

DATE/TIME OF REPORT 02/28/2017 18:48:30

TYPE OF REPORT SUPPLEMENT

REVIEW STATUS APPROVED

NARRATIVE

On March 1, 2017 at approximately 15:10 hours, the Bud Light and Heineken six packs were removed from evidence, photographed and disposed of. The photographs have been attached to this report.



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # 17006003 / 1

OFFICER PORCIELLO RANK

REVIEW STATUS APPROVED

INCIDENT #17006003 DATA

As Of 03/09/2017 07:52:57

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION 112 MYSTIC ST APT/UNIT#

DATE/TIME REPORTED

03/08/2017 18:02:16

DATE/TIME OCCURRED
On or about 03/08/201718:02

Incident Type/Oppense Assist

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17006003-1/PORCIELLO (INSP)

DATE/TIME OF REPORT 03/08/2017 18:02:16 TYPE OF REPORT

REVIEW STATUS APPROVED

TATITA GGAYA

On March 8, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. The operatives were the same that were used in alcohol compliance checks assigned to incident numbers 17005217 and 17005303. Prior to conducting the checks both operatives were breath tested using the portable breath test. The female blew a 0.00 (test 111) and the male also blew a 0.00 (test 112). The operatives were then photographed. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplante of the Arlington Youth and Safety Coalition had previously supplied us with money for past

compliance checks. The remaining \$58.47 was used on today's date. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- -At 4:28PM the operatives entered the Commune Kitchen located at 203 A&B Broadway. No alcohol was served.
- -At 4:43PM the operatives entered Sugo Cucina Italiana located at 164 Mass Ave. No alcohol was served.
- -At 5:07PM the operatives entered Little Q Pot-Szchuan House located at 196 Mass Ave. No alcohol was served.
- -At 5:12PM the operatives entered Ristorante Olivia located at 193-201 Mass Ave. No alcohol was served.
- -At 5:15PM the operatives entered The Capital Theatre located at 204 Mass Ave. No alcohol was served.
- -At 5:48PM the operatives entered Sabzi located at 352A Mass Ave. No alcohol was served.

Once back at the station the operatives were again breath tested using the portable breath test. The female blew a 0.00 (test 113) and the male also blew a 0.00 (test 114). The operative's property was returned.

The remaining \$58.47 will be returned to Ivy Laplante.

[BoS LETTERHEAD]

DECISION of the LOCAL LICENSING AUTHORITY

Licensee:

Arlington Liquors d/b/a "Alexander Liquors"

Licensed Premises:

94B Summer Street

(Arlington Liquors)

License No.:

003000048

License Type:

Package Store License

Expiration Date:

December 31, 2017

Summary of Findings and Decision

On June 19, 2017, after proper notice and hearing, the Town of Arlington's Board of Selectmen, in its capacity as a local liquor licensing authority ("LLA"), voted to revoke Arlington Liquors' (a/k/a "Alexander Liquors") license. The LLA's decision is based upon the number and severity of alcohol and related violations within a short period of time, the most recent of which occurred while the license holder was on probation for a previous violation, as well as the license holder's manifest lack of any plan or measures to address issues which have apparently led to multiple sales of tobacco and alcohol to underage persons and other illegalities on the premises. This body is well aware of the severity of this penalty, but found little basis in the License Holder's

testimony at hearing to allay its numerous concerns about the safe and effective management and exercise of the business and license at issue in the interests of the public good.

Procedural History

The Arlington Police Department ("Department"), as the duly appointed agent for the LLA, conducted annual alcohol compliance checks (a description of which is provided below) on February 27, 28, and March 8, 2017. The Department later notified the LLA of the results of those operations, advising the LLA of those licensees which failed the compliance check, including "Arlington Liquors." In accordance with G.L. c. 138, § 23(4), the Board scheduled a hearing on June 5, 2017, at approximately 7:15 p.m. to examine the alleged violations and consider whether or not any violation of c. 138, ABCC regulations, or LLA regulations occurred. The Licensee was notified of the hearing by certified letter dated May 15, 2017 and acknowledged receipt of same. The hearing was subsequently postponed until June 19, 2017, and licensee was notified accordingly.

Questions Presented for Hearing

- (1) Did a violation of the state liquor law occur on the above-referenced premises by sale or delivery of alcoholic beverages to persons under the age of 21 in violation of c. 138 § 34, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?
- (2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result, including a violation of probationary terms set forth at the Board's November 14, 2016 hearing for an alcohol license violation by the license holder, approved and codified by the Board's decision of November 28, 2016?

License History & Prior Violations

The LLA approved the transfer of the "all alcohol package store" license at issue to "Arlington Liquors d/b/a Alexander Liquors" and its owner and manager Mr. Alexander Kushnirsky by a 4-0 vote on August 22, 2011. Since that time, Arlington Liquors has been twice failed tobacco compliance checks, wherein cigarettes were sold to persons under the age of 21, in violation of the Arlington's Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products. Most recently, Arlington Liquors failed a tobacco compliance check on March 16, 2016; and the Arlington Board Health subsequently voted to issue a \$100 fine and suspend tobacco sales at Arlington Liquors for seven (7) days on or about April 6, 2016. See Board of Health Minutes & Decisions annexed hereto as Attachment "A." Arlington Liquors had previously failed the same type of tobacco compliance check on January 7, 2013, resulting in a February 3, 2013 fine and suspension of the same magnitude. See Attachment "A."

Moreover, on November 14, 2016 the Board of Selectmen, in its capacity as the LLA, determined that Arlington Liquors had violated the terms of its license and 204 C.M.R. 2.05(2), when its manager and owner (Mr. Kushnirsky) was found unresponsive and in possession of medical marijuana without a medical marijuana ID card (a then illicit substance), while also on the premises of his package store on or about February 26, 2016. Based upon the evidence and testimony regarding the February 26, 2016 incident, the LLA issued a five (5) day license suspension held in abeyance for a one-year

It bears noting that according to Board of Health minutes of its April 6, 2016 Hearing, Mr. Kushnirsky represented that he was unaware that the legal age required for sale of tobacco in Arlington is 21 years old.

probationary period to end on November 30, 2017.² See, November 28, 2016 LLA Decision Re: Arlington Liquors, annexed hereto as Attachment "B."

Evidence Presented

The following documents were accepted and made part of the record:

(A) Arlington Police Department Reports Nos. 17005217 (February 27, 2017), 17005303 (February 28, 2017), and 17006003 (March 8, 2017)(hereinafter "Incident Reports," and annexed hereto as Attachment "C").

The following witnesses appeared and testified:³

- (1) Arlington Police Department Inspector Stephen Porciello: summarized the annual alcohol compliance check operation and investigatory findings of the Department, especially information codified in Incident Report No. 17005303, which recorded the details of Arlington Liquors' compliance check failure; and
- (2) Alexander Kushnirsky, Owner and Manager of Arlington Liquors: provided the Licensee's recitation of events, information on his business practices regarding checking identification, and referenced physical evidence not presented to the LLA (video recordings allegedly capturing the sale of alcohol to compliance check operatives).

² Given the findings of the June 18, 2017 Hearing in this matter, Arlington Liquors was noticed and did serve a five (5) day consecutive license suspension on or about June 23-27, 2017 in satisfaction of this Board's prior decision.

³ A true and accurate recording of the entirety of the proceeding including Inspector Porciello and Mr. Kushnirsky's testimony is available on demand at: http://acmi.tv/videos/selectmen-meeting-june-19-2017/ A transcript of such proceedings is also available upon request.

Findings of Fact

On the basis of the evidence presented at the June 19, 2017 Hearing described above, and other judicially noticeable information, the LLA made the following findings of fact:

- 1. On February 28, 2017, at approximately 4:48 p.m., Arlington Police Department, through Inspectors Stephen Porciello and Detective Sergeant Bryan Gallagher, conducted annual alcohol compliance checks on thirteen (13) of the Town's restaurants licensed to sell alcoholic beverages for consumption on the premises under G.L. c. 138, § 12, and two (2) of the Town's licensed package stores under G.L. c. 138 § 15. Previous compliance checks had been conducted for other restaurant, theater, and package store license holders on February 27, 2017, and subsequent checks were conducted on March 8, 2017. *Porciello Testimony; Incident Report.*
- 2. The compliance check was conducted in similar fashion to previous checks conducted in Arlington, and in accordance with the Compliance Check Guidelines of the Alcoholic Beverages Control Commission. Operatives are advised to make straight-forward orders for the purchase of alcohol and did not attempt to use fraudulent identification. Porciello Testimony; Incident Report.
- 3. As part of this compliance check, two underaged (teenage) operatives were sent into each establishment with no identification on the date in question. The operatives attempted to purchase alcoholic beverages in

each establishment. At the Licensed Premises on February 28, 2017, the two operatives purchased one (1) six-pack of Bud Light cans from a cashier later self-identified as Almaz Imanlieve to APD. The operatives paid for the six-pack and received change along with a receipt. The operatives left the package store to return immediately thereafter with the APD personnel and notify Arlington Liquors of the violation. *Porciello Testimony, Incident Report*.

- 4. Mr. Iamnlieve acknowledged the sale, but believed he had seen the operatives "in the business in the past." *Incident Report*.
- 5. These operatives are, in the opinion of Inspector Porciello, underage in physical appearance. *Porciello Testimony*.
- 6. The Licensed Premises has been operated by the present license holder since August of 2011. It has not previously failed an alcohol compliance check. The Licensed Premises was previously determined to have violated state and local alcohol regulations at a November 14, 2016 hearing of the LLA, when the owner and manager of the Licensed Premises was found to have been in illegal possession of medical marijuana without a authorized patient identification card on or about February 26, 2016. Moreover, the Licensed Premises has a record of at least two (2) prior violations of tobacco sales laws and regulations (including one in the last year), having similarly sold cigarettes to persons under the legal age for purchase without checking identification in

- compliance checks conducted by the Town Health and Human Services

 Department. See Attachments "A," and "B."
- 7. The Licensee did not dispute Inspector Porciello's basic facts and conclusions, or that the violation set forth in the Incident Report occurred.

 Kushnirsky Testimony.
- 8. The Licensee reported that his employee, Mr. Imanlieve, has worked for him in a similar capacity for approximately eight (8) years. *Kushnirsky Testimony*.
- 9. Mr. Kushnirsky admitted that the female operative looked "very young," but believed the male operative looked older because he was bald. Kushnirsky Testimony.
- 10. Mr. Kushnirsky asserted that he takes underage service very seriously, continuously trains his employees in checking for identification, that they are "on top" of identification checks, and that his employees provide APD with confiscated fake IDs. Kushnirsky Testimony.
- 11. However, APD did not corroborate receipt of fake IDs on a routine basis from the Licensee, if at all; and Mr. Kushnirsky acknowledged that the Licensee does not keep logs of underage customer incidents. *Porciello Testimony; Kushnirsky Testimony*.
- 12. Furthermore, Mr. Kushnirsky suggested that underage service would not occur if the Town of Arlington's or larger community's alcohol policies were different. *Kushnirsky Testimony*.

13. Moreover, Mr. Kushnirsky expressed his view that this is an "isolated incident," but did not outline any plans to change policy or practices at the Licensed Premises. *Kushnirsky Testimony*.

Conclusion

On the basis of the findings of fact recited above, the LLA made the following conclusions on the Questions Presented:

(1) Did a violation of the state liquor law occur on the above-referenced premises by sale or delivery of alcoholic beverages to persons under the age of 21 in violation of c. 138 § 34, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?

Yes.

(2) If so, what action, if any, will the LLA take concerning the above-referenced license as a result, including a violation of probationary terms set forth at the Board's November 14, 2016 hearing for a previous alcohol license violation by the license holder, later codified by the Board's decision of November 28, 2016?

Revocation of the License. Revocation shall be stayed until either the expiration of the statutory appeal period, or should the Licensee appeal the decision to the ABCC, the outcome of such appeal proceedings.

However, the five (5) day suspension held in abeyance for violation of the probationary terms set forth for a prior violation of alcohol laws and regulations shall be served immediately.

Discussion

Sections 12 and 34 of Chapter 138 of the General Laws prohibit sale or delivery of alcoholic beverages to any person under 21 years of age. G.L. c. 138, §§ 12, 34. It is undisputed that on February 28, 2016, two underaged persons were sold alcoholic beverages by the Licensee's staff on the Licensed Premises. This sale was in violation of

Chapter 138, as well as the regulations of the Alcoholic Beverages Control Commission at 204 C.M.R. 2.05(2).

The LLA has the authority to grant, revoke and suspend licenses. Their powers are authorized "to serve the public need and ... to protect the common good." G.L. c. 138, §23, as amended through St. 1977, c. 929, §7. "[T]he purpose of discipline is not retribution but the protection of the public." *Arthurs v. Bd. of Registration in Medicine*, 383 Mass. 299, 317 (1981).

The LLA has adopted a policy governing the sale of alcoholic beverages by package stores. See Alcohol Licenses and Regulations, at Policies, Rules, and Regulations of Alcohol Licenses for Package Stores (revised January 12, 2015) ("Policy"). The Policy provides that a first offense of serving alcohol to an underaged person will presumptively lead to a license suspension of three to five days to commence on the same day of the week as the violation. See Policy at p. 14. However, such presumptive policy does not limit the Board's discretion to "impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate." See Policy at p. 14.

In fixing the penalty for sales to underage individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underage individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underage purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

Applied to facts before the LLA, it is not disputed by any party that the Licensee violated State Law, ABCC regulations, and the Town's regulations and policies by selling alcohol to underaged persons. The well-documented operation, conducted at dozens of license holding establishments over three days, and in accordance with ABCC and LLA guidelines and policies, manifestly demonstrates a violation for which there is no justification.

By the Owner and Manager's admission, one of the two operatives looked "very young." The only explanation offered by the cashier, Mr. Imanlieve (an 8-year employee of the License Holder), was that the operatives appeared to be repeat customers. There was no attempt whatsoever to check for identification. The operatives did not present, nor were they carrying fraudulent identification. Nonetheless, other testimony by the Owner and Manager, Mr. Kushnirsky, was at best confused, and at worst attempted deflect responsibility for the violation onto the underaged operatives in confounding fashion.

Furthermore, Mr. Kushnirsky outlined no plans whatsoever to alter current policies and practices at the Licensed Premises in response to this violation, or other violations. He testified about training practices, but presented no documentary evidence of such practices. He contended that he turned over confiscated fake IDs to APD routinely, but APD could not corroborate same, and Mr. Kushnirsky acknowledged that he keeps no logs of incidents regarding attempted purchases by underage persons.

In light of the lack of mitigating factors for this specific violation or any new plans to address the concerns raised by the second violation within one calendar year, the LLA is particularly disturbed by the timeline of violations involving sales of controlled products to underage persons and/or more serious incidents, which is as follows:

- August 2011, Mr. Kushnirsky is approved by the LLA the License for the Licensed Premises;
- January 7, 2013, the Licensed Premises fails a first Tobacco Compliance Check;
 - o February 3, 2013 Tobacco Sale Suspension Hearing and Order;
- February 26, 2016, incident regarding the Owner and Manager's possession of medical marijuana without a medical marijuana ID card on the licensed premises;
 - O November 14, 2016 LLA hearing and November 28, 2016

 Decision finding a violation and imposing a suspended 5-day suspension for a 1-year probationary period;
- February 28, 2017, the Licensed Premises fails the Alcohol Compliance Check subject to this decision;
- March 16, 2017, the Licensed Premises fails a second Tobacco Compliance Check;
 - o April 6, 2017 Tobacco Sale Suspension Hearing and Order.

This timeline of events demonstrates three (3) incidents of the sale of either alcohol or tobacco products to underaged persons since 2013, two of which occurred less than one (1) month apart, in addition to a serious incident involving possession of a then illicit drug on the premises by the Owner and Manager. The decision placing the Licensed Premises on probation for possession of the illicit substance had been issued only four (4)

months prior to failing the alcohol compliance check which brings the Licensee back before this LLA.

The afore-described pattern of violations and lack of any meaningful assurance that the conditions that allowed for same have or will be addressed offers substantial evidence that the public good is jeopardized by the License Holder's continued operation of Arlington Liquors. In isolation, the violation at issue presents a far different matter for consideration. However, the LLA pauses to emphasize that \$200 in fines, 14-days of suspended cigarette sales, and 5-days of suspended alcohol sales have been meted out to the Licensee since February of 2013, and that the nature of the February 2016 incident has no precedent in recent memory for an establishment that remains in operation.

Based on such facts alone, a three to five day suspension is not sufficient to protect the public good, such measures already clearly having failed to insure future lawful compliance. The unquestionable facts of this most recent violation, its consistency with a pattern of violations, and the lack of a clear or meaningful plan to address it provide the basis needed to make revocation of the license is necessary.

Order

For the reasons stated herein, the above-referenced license is **REVOKED** pending the expiration of the statutory appeal period, or should the Licensee appeal this decision to the ABCC, the outcome of such appeal proceedings. The License Holder shall surrender his license and cease all alcohol sales at such time as his rights to appeal have been exhausted.

The five (5) day suspension held in abeyance for violation of the probationary terms set forth for a prior violation of alcohol laws and regulations shall be served immediately.⁴

Licensee is hereby advised of his right to appeal this decision to the ABCC within five (5) business days of receiving this decision and order.

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Dated: July, 2017		
	By:	
	TOWN OF ARLINGTON BOARD OF SELECTMEN	
	e g	
	Joseph A. Curro, Jr., Chair	
	Diane M. Mahon, Vice-Chair	
	Kevin F. Greeley	
2		
	Daniel J. Dunn	
	Steven M. Byrne	

⁴ Upon information and belief, the License Holder has served the five (5) day suspension (June 23-27, 2017) and reported such service to the Office of the Board of Selectmen in the interim between hearing and adoption of this decision, which satisfies the terms of the LLA's previous determination.



Town of Arlington, Massachusetts 730 Massachusetts Ave., Arlington, MA 02476 Phone: 781-316-3000

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Board of Health Minutes 02/06/2013

DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF THE BOARD OF HEALTH

27 Maple Street
Arlington, Massachusetts 02476
Christine M. Connolly, MPH, CHO
Town of Arlington
Director of Health and Human Service

Board of Health Meeting Minute Wednesday, February 6, 2013 Ground Floor Conference Room Arlington Senior Center 5:30pm

Board Members in Attendance: Dr. Marie Walsh Condon, Dr. Michael Fitzpatrick (Chair), Mr. Kenneth Kohlberg Staff in Attendance: Christine Connolly, Director of Health and Human Services and James Feeney, Health Compliance Officer, Natasha Waden, Lead Health Compliance Officer, Gloria Ojimba, Intern.

Other: Juliana Rice, Town Counsel, DJ Wilson, Tobacco Control Director, Public Health Liaison, Mass Municipal Association; Wesley Chin, Sub-regional tobacco control coordinator for Arlington, Belmont, Brookline, Newton and Watertown; Kimona Cameron, Brookline Health Department.

Public in attendance: Adnan Rahim, Tarsem Singh, Davinder Sharma, Musfiqur Rahman, Sankar Marichany, Ranbir Rai, Dan Ramnes, Jani Fowler

Maureen Stephens, Mike Porcano, Ray Laham, A. Sofia Khouri, Anthony Caliendo, Michael Ellakkis, Alex Kurshnisky

December 12, 2012 meeting minutes were approved with the following edits: In agenda item II: removal of the second reference "to a minor"; in agenda item III: removal of "has become problematic" and replace with "was in violation of the 1999 Food Code", in sentence 6: "order" change to "ordered".

Mr. Anthony Caliendo, Owner of 20 Belknap, made a request to move his hearing for a variance from the housing code up on the agenda so that he could attend a zoning meeting in the Town of Lexington. Mr. Caliendo stated he would need to leave by 7:00PM. Dr. Fitzpatrick, Chair stated that the Board would proceed with the current layout of the agenda because he was confident that they would be able to get to his request before 7:00PM.

Inspector Waden reported that on January 7, 2013 a tobacco compliance check was conducted by the Health Department, in which a minor was used to attempt to purchase cigarettes at 25 establishments. One establishment was closed at the time of inspection. A total of 11 establishments out of 24 sold cigarettes to said minor. The minor was a 17 year old male and was trained by Health Department staff on tobacco compliance checks in accordance with MDPH Tobacco Control Program guidelines. Said minor purchased a package of Marlboro cigarettes at Little Joe's Convenience Store at 3:47PM. The minor was not asked his age or for identification. Ranbir Rai was present for the hearing and stated that this establishment has not violated in 6 years and that this was a mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said

suspension.

On January 7, 2013 at 3:53PM said minor purchased a pack of Marlboro cigarettes at Arlington Liquors. The minor was not asked his age or for identification. Nobody from the establishment was present during the hearing. Dr. Walsh-Condon requested that the Board of Selectmen's Office be notified of the sale to a minor and that additional training be conducted with this establishment, as it is under new ownership. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:00PM said minor purchased a pack of Marlboro cigarettes at Mystic Street Gulf. The minor was not asked his age or for identification. Michael Elakis was present for the hearing and stated that the clerk did not do his job in checking for identification. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:15PM said minor purchased a pack of Marlboro cigarettes at Arlington Shell. The minor was not asked his age or for identification. Ana Sofia Khouri, owner, was present for the hearing and stated that this was the first violation for them, but that clerk had been working at this location for a long time. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:31PM said minor purchased a pack of Marlboro cigarettes at CVS Pharmacy, 833 Mass Ave. The minor was not asked his age or for identification. Jani Fowler, Store Manager, was present for the hearing and stated that all new employees go through training when they are first hired. In accordance with corporate policy, the employee was terminated. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:41PM said minor purchased a pack of Marlboro cigarettes at Symmes Mini Mart. The minor was not asked his age or for identification. Ray Laham was present for the hearing and stated that the clerk used bad judgment, there were two clerks at the time and one thought the other checked for identification. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and the issuance of a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:51PM said minor purchased a pack of Marlboro cigarettes at Walgreens, 324 Mass Avc. The minor was not asked his age or for identification. Mike Porcaro, Store Manager, was present for the hearing and stated that all staff has been retrained and the clerk who sold to the minor was disciplined with a final written warning. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and the issuance of a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 4:58PM said minor purchased a pack of Marlboro cigarettes at Mass Convenience, 245 Mass Ave. The minor was not asked his age or for identification. Davindar Sharma, owner, was present for the hearing and stated that all the tools are in place, the clerk has worked there for over 10 years and he just made a mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 5:06PM said minor purchased a pack of Marlboro cigarettes at Dagg's. The minor was not asked his age or for identification. Musfiqur Rahman was present for the hearing and stated that his father was helping him out and used bad judgment and that it was an honest mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law.

Health Department staff will contact the establishment to determine the implementation date of said suspension,

On January 7, 2013 at 5:19PM said minor purchased a pack of Marlboro cigarettes at Boyle's Market. The minor was not asked his age or for identification. Tarsem Singh was present for the hearing and stated that the clerk was a new employee who had been trained, but that he made a mistake. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

On January 7, 2013 at 5:31PM said minor purchased a pack of Marlboro eigarettes at Arlington Gulf. The minor was not asked his age or for identification. Adnan Rahim was present for the hearing and stated that there was confusion between the gas attendant and the mechanic. The Board unanimously voted to suspend the tobacco permit for 7 days in accordance with Arlington's Tobacco Control Regulations and issue a \$100 fine in accordance with Mass State Law. Health Department staff will contact the establishment to determine the implementation date of said suspension.

Alex Kurshnisky, owner of Arlington Liquor's, introduced himself at the end of the tobacco hearings. The Board reviewed the disciplinary action that had been voted on for this establishment.

(a) Inspector Waden reviewed the Draft regulations for Restricting the Sale of Tobacco Products and Nicotine Delivery Products in the Town of Arlington. DJ Wilson from Mass Municipal Association was also present to help facilitate the discussion of the regulations. The following areas were discussed in detail: Section A: Statement of Purpose, the Board would like to keep the current language, as it proves the need to implement all aspects of this regulation. Section D: Tobacco and Nicotine Delivery Product Sales Prohibited: The Board would like to increase the age of tobacco sales from 18 to 21. DJ Wilson provided an overview of how the Town of Needham implemented this over a few years. The Board approved the language. The Board would like to include language requiring the establishment to post signage about tobacco cessation. Inspector Waden will present draft language to the Board at the next meeting requiring signage for sales to persons under age 21. SECTION E: TOBACCO AND NICOTINE DELIVERY PRODUCT SALES PERMITS: the fee for a permit will remain at \$500. Furthermore, the Board would like to change the mandatory retailer training to annually, change the number of permits to 19 for capping purposes; and reduce the number of permits to 15 by 2018. SECTION F: CIGAR SALES REGULATED: The Board request that item 2b and 2c be removed SECTION O: VIOLATIONS, when considering cumulative violations the Board would like to review a 36 month violation history as opposed to a 24 month history, continue with fine schedule of \$100, \$200, \$300, remove "a minimum" from item 1c, and add language ("or failure") to item 2 as requested by Town Counsel.

(b) DJ Wilson reviewed the proposed draft regulations Prohibiting Smoking in Workplaces and Public Places. The following areas were discussed in detail: SECTION 4: SMOKING PROHIBITED, DJ Wilson explained that it might be difficult for staff to enforce item (d) as it pertains the prohibition of smoking within 15 feet of an entranceway accessible to the public. The Board tabled this discussion until the next meeting.

The Board agreed to hear agenda item XVI and XVII concerning an update on one property (18 Belknap) and a variance request on another property (20 Belknap) both owned by Mr. Anthony Caliendo.

Inspector Feeney provided the Board with an update regarding existing violations concerning 18 Belknap Street that have not been corrected. Feeney first read two letters into the record, one from a group of neighbors revealing their concerns about disruptive tenants and maintenance of the property and the other from Deputy Chief James Bailey regarding the fire alarm system, the front stairwell and the rear fire escape. Mr. Caliendo stated that he has no authority to do anything about the tenants and insists that his building is well maintained. Feeney reviewed with the Board that Mr. Caliendo had requested a hearing at the last meeting to discuss violations pertaining to the fire escape and lack of an automatic door locking mechanism. At that hearing the Board voted to uphold the order to correct that had previously been issued by Inspector Feeney. Mr. Caliendo reported that he would be filing an appeal to the BBRS concerning the automatic lock, and that he was still working on the repairs to the fire escape. Feeney displayed pictures of the repairs that had currently been made to the fire escape, to which the Board deemed unacceptable. Mr. Caliendo stated that he is a licensed contractor and that according to the regulations it is in compliance. The Board requested a recommendation from Feeney concerning the next steps. Feeney recommended that the health department move forward with filing a complaint in court for failure to correct these violations within the allotted time frame. The Board unanimously approved the recommendation.

Inspector Feeney provided the Board with a copy of the Order letter dated January 15, 2013 addressed to property owner Anthony Caliendo. Feeney went on to explain that Mr. Caliendo is requesting a variance from item #3, the installation of

mechanical ventilation in the bathroom that exhausts to the exterior. Occupant Sankar Marichamy was present at the hearing and explained that his daughter has asthma and that the second hand smoke, which he believes is coming from the neighboring unit, entering through his bathroom, makes it difficult for his daughter to breathe. Fecney explained in a memo to the Board that there is no duct work for the fan and it appears that the air being removed from the bathroom is being pushed into the open wall cavity. Mr. Caliendo stated that he has never had any complaints regarding this matter and that because the house is over 100 years old; it is not possible to make the repair. Dr. Fitzpatrick requested that the health department staff contact the building department to conduct an inspection to determine if it would be possible. Director Connolly explained that it would not likely be possible to have the building inspector out at this property. Feeney explained that a professional such as an HVAC person would be able to provide feedback to the owner on how such repairs could be made. Therefore, the Board unanimously voted to deny the variance.

Agenda item XIV: Medical Marijuana. DJ Wilson provided an overview of the status of medical marijuana by stating the following: As of 1/1/13 Mass Department of Public Health has 90 days to write regulations, at this time, it does not look like the first dispensaries will be opening until early fall, Mass Department of Public Health is looking at sample regulations from Maine, Colorado and New Mexico. Juliana Ricc, Town Counsel mentioned that there are two warrant articles being proposed before Town meeting, 1. Which will establish zoning requirements for dispensaries' and 2. In the event that regulations are not in place, this would provide a local moratorium on allowing dispensaries to open until the proper regulations are in place.

Inspector Feeney led the discussion of the draft Bodywork regulations, explaining that at this time there are no State model regulations for Bodywork; therefore, best practices from the Towns of Newton and Belmont were taken under consideration when drafting these regulations. Feeney explained that the need for such regulations was discovered during compliance checks that were conducted by a State inspector and a local police officer. During these checks most therapists identified themselves as body workers as opposed to Massage Therapists, as Body Workers are exempt from the state massage law. Dr. Walsh asked about the inclusion of Reiki in these Regulations, and recommended staff reaches out to the school of acupuncture for guidance and assistance. Feeney agreed to reach out to local experts and stakeholders, and to revise according to the Board's comments; he also stated the Regulations were created in an expedited fashion and would be revised for the next meeting.

Juliana Rice, Town Counsel, reported to the Board that a group of High School Students proposed a warrant article for Town Meeting to restrict the use of water bottles less than 1 liter.

Environmental up dates were tabled until the next meeting.

Restaurant updates: Feeney reported that Family Injera installed a grease trap, and that Arlington Restaurant and Diner has been working with a consultant. Inspector Waden reported on the following establishments: Barismo moved one door down from their previous location, Napoli Pizza is under new ownership, Wings Over Arlington has opened, Something Sweet Without Wheat has opened. In addition Waden reported that plans for Menotomy Grill and Tavern, Frozland and Sczechuan's Dumpling have been approved. The following establishment did not renew their food permits for 2013: Nana's Market, Jade Garden, Gemma, Foodmaster and Ada-Lula Pastry. Lastly, Whole Foods plans to open in the Foodmaster location by September.

No public comment.

Meeting adjourned at 8:04pm

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Town of Arlington Department of Health and Human Services Office of the Board of Health

27 Maple Street Arlington, MA 02476

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Board of Health Meeting Minutes Wednesday, April 6, 2016 BOH Conference Room Arlington Senior Center 5:30pm

Board Members in Attendance: Dr. Marie Walsh Condon, Mr. Kenneth Kohlberg, Dr. Michael Fitzpatrick

Staff in Attendance: Christine Bongiorno, Director, James Feeney, Health Compliance Officer, Natasha Waden, Health Compliance Officer

Others in Attendance: Alex Kushnirsky, Ranbir Rai, Tarsem Singh, Theresa Campbell, Robert Bongiorno, Chris Rozanitis, Jess Lawrence

Recording Secretary: Ivy Laplante, Arlington Youth Health & Safety Coalition Director

Meeting called to order by Dr. Marie Walsh Condon at 5:35 pm.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the February 3, 2016 meeting minutes as amended.

Vote: Motion approved unanimously (3-0)

Hearing: Boyles Market: Tobacco/Nicotine Delivery Product Sales Violation

Mr. James Feeney informed the Board that during a compliance check on March 16, 2016, a 19 year old male agent entered Boyles at 9:41am, and purchased a "Blu" e-cigarette (e-cig) from an adult female clerk who asked the agent for his identification. Mr. Feeney delivered a fine of \$100 to Boyles and presented a letter to appear at this hearing for violating the Arlington Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products, which prohibit the sale of tobacco and nicotine delivery products to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative, Mr. Tarsem Singh, if he would like to speak to the Board and address the violations referenced. Mr. Tarsem Singh stated the female clerk who sold the product has worked at the Medford location for over 1 year, and was called in to work in the Arlington location on March 16. It is to be noted that the city of Medford has regulations restricting the sale of tobacco products to age 18. The adult female clerk, Ms. Theresa Campbell, was present at the meeting and apologized for her mistake.

Dr. Walsh-Condon then asked the manager what his plans were to prevent this from happening in the future. Mr. Tarsem Singh stated he would do better to inform all his workers about the local regulations in each community, and explore establishing a store policy to punish the clerks who violate regulations. Mr. Tarsem Singh stated since the law came into effect in March 2015, there have been no problems at the store. Dr. Walsh-Condon noted Boyles Market has had no prior violations. Dr. Fitzpatrick commented on the price of the device, noting it cost \$10.51 for the e-cig.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kohlberg, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Little Joe's Convenience: Tobacco/Nicotine Delivery Product Sales Violation

Mr. Feeney informed the Board that during a compliance check on March 16, 2016, a 19 year old male agent entered Little Joe's Convenience at 9:06am and purchased a "Blu" e-cigarette (e-cig) from an adult male clerk who asked the agent for his identification. Mr. Feeney delivered a fine of \$100 to Little Joe's and presented a letter to appear at this hearing for violating the Arlington Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products, which prohibit the sale of tobacco and nicotine delivery products to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative, Mr. Ranbir Rai, if he would like to speak to the Board and address the violations referenced. Mr. Rai stated the male clerk made an error, and he has already addressed the issue with the clerk. Mr. Rai noted Little Joe's did have a prior violation in 2007.

Dr. Walsh-Condon then asked the owner what his plans were to prevent this from happening in the future. Mr. Rai stated he would discuss the Town regulations with his clerks again, and was not aware that the clerk who violated the regulation checked the agent's ID. Dr. Walsh-Condon reminded Mr. Rai it is his responsibility as the owner to ensure the clerks know the laws in Town.

A Motion was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Michael Fitzpatrick, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Arlington Liquors: Tobacco/Nicotine Delivery Product Sales Violation

Mr. Feeney informed the Board that during a compliance check on March 16, 2016, a 19 year old male agent entered Arlington Liquors at 9:14am and purchased "Marlboro" cigarettes from an adult female clerk who did not

ask the agent for his identification. Mr. Feeney delivered a fine of \$100 to Arlington Liquors and presented a letter to appear at this hearing for violating the Arlington Regulation Restricting the Sale of Tobacco and Nicotine Delivery Products, which prohibit the sale of tobacco and nicotine delivery products to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative (the owner), Mr. Alex Kushnirsky, if he would like to speak to the Board and address the violations referenced. Mr. Kushnirsky stated he was not aware the Town regulations were to prohibit sales under 21, and thought it was only 18+.

Dr. Walsh-Condon then asked the owner what his plans are to prevent this from happening in the future. Mr. Kushnirsky stated he will conduct a new training of staff and check to see if it was an isolated incident. Dr. Fitzpatrick commented with a concern that the owner does not know about Town tobacco regulations. Mr. Kushnirsky informed the Board his manager went to the Tobacco Retailer Training, and he needed to speak to the manager about the new regulations.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Christo's Market: Tobacco/Nicotine Delivery Product Sales Violation

Mr. Feeney informed the Board that on March 16, 2016, during a tobacco compliance check, a 19 year old male agent entered Christo's Market at 9:59am and purchased "Marlboro" cigarettes from an adult male clerk who asked the agent for his identification. Mr. Feeney delivered a fine of \$100 to Christo's Market and presented a letter to appear at this hearing for their violation of Arlington regulations to prohibit the sale of tobacco to anyone under the age of 21.

Dr. Walsh-Condon asked the store's representative, Mr. Chris Rozanitis, if he would like to speak to the Board and address the violations referenced. Mr. Rozanitis stated at the time he sold to the agent, his mother was sick in the hospital and he was not thinking clearly.

Dr. Walsh-Condon then asked the owner what his plans are to prevent this from happening in the future. Mr. Rozanitis promised to be more careful, especially when dealing with young customers.

A Motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the minimum penalty of a \$100 fine with a 7-day suspension of tobacco sales to be determined by the Health Compliance Officers.

Vote: Motion Approved Unanimously (3-0)

Hearing: Keeping of Hens - 18 Brattle St. #1

Mr. Feeney informed the Board of Ms. Jess Lawrence's application to keep hens on her property. He noted the plans as submitted in the application are compliant with the hen keeping bylaw, and comments from abutters were supportive of the application. Mr. Feeney questioned the current location of the coop, and noted, according to Town bylaws, the coop must be 6ft. from the property line. Ms. Lawrence informed the Board she has been unable to determine the exact location of the property line due to the brook. Dr. Walsh-Condon recommended Ms. Lawrence check with other Town departments to determine her exact property line.

A Motion was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Michael Fitzpatrick, to approve the application for keeping of hens with the condition the coop is located 6 feet from the property line.

Vote: Motion Approved Unanimously (3-0)

Hearing: Variance Request: Minimum Standards for Swimming Pools: Float Tonic LLC.

Mr. Feeney informed the Board that Mr. Stephen Tomadakis was ill and was unable to attend the hearing. The Board discussed the history of float tanks and examined other communities' current regulation of these therapeutic pools. Dr. Walsh-Condon reaffirmed the notion that float tanks should not be exempt from the pool code. Dr. Fitzpatrick noted that the Board has previously set new regulations without precedent. Dr. Walsh-Condon reminded the Board this was a discussion only, not a hearing.

Discussion: Regulation Restricting the Sale of Medical Marijuana

Mr. Feeney informed the Board of additional regulations provided for review by Natick. The Board discussed having Mr. Feeney amend the current draft Regulation to include the following: requiring fire extinguishers at home cultivation sites, allowing violations of the State regulation to also be considered violations of the local Regulation, requiring the dispensary to notify the Board of any Department of Public Health visit within 24 hours, signage prohibiting entrance to the dispensary to anyone without a valid Registration Card, and requiring a dispensary to deliver products to those with a verified hardship.

The Board discussed comments made during the public hearing on the draft Regulation at the previous Board of Health meeting. Mr. Kohlberg reminded the Board of the comments made by a resident who believed limiting the supply of marijuana to 30 days could create a hardship for those who will have difficulty accessing the dispensary more frequently. Dr. Walsh-Condon stated the restriction of medical marijuana to a 30-day supply is warranted because prescriptions for controlled substances have historically been limited to 30 days. Dr. Walsh-Condon also noted the requirement for a dispensary to deliver to any patients who are unable to physically access the dispensary.

A comment was made at the public hearing regarding the possibility of disallowing a dispensary from engaging in the future sale of recreational marijuana. Mr. Feeney reminded the Board this Regulation pertained only to the sale of medical marijuana, and they would not be able to disallow an activity that is considered legal.

Mr. Kohlberg suggested the word "medical" be added throughout the Arlington Regulation to alleviate any confusion between medical marijuana regulations and recreational marijuana.

Dr. Walsh-Condon asked how the Board will regulate "edible" medical marijuana products. Mr. Feeney noted that the FDA states marijuana is not a food and therefore cannot be regulated under FDA code, but the Board can still ensure the food preparation is safe and sanitary. Dr. Walsh-Condon suggested the Board adds a provision that references the minimum standards of food preparation when preparing medical marijuana edibles.

Dr. Walsh-Condon noted due to no substantial changes in the Regulation, the next Board meeting on May 18th will be a hearing to adopt the Regulation Restricting the Sale of Medical Marijuana.

Discussion: 2013/2015 FDA Model Food Code

Mrs. Waden informed the Board that Ms. Maureen Lee, a contracted health compliance officer, plans to facilitate the purchase and use of electronic software for Arlington inspections. Mrs. Waden proposed Arlington should adopt the 2013 food code with 2015 addendums, similar to Newton and Cohasset. Mr. Feeney noted Arlington currently enforces the 1999 food code, which does not cover the specialized procedures being used today. Mr. Kohlberg commended Mrs. Waden on her proactive approach to adopting these new regulations.

Discussion: Food Establishment Plan Review Policy

Mrs. Waden discussed formalizing the current policy requiring food establishments that are changing ownership to undergo a plan review. This policy would require new owners to submit plan documents, procedures, menus, operations, etc. to the health compliance officers before officially re-opening establishment.

Environmental Updates

No environmental updates at this time.

Restaurant Updates

Mrs. Waden informed the Board that Fashion Cake Boutique has closed, and the food establishment formerly known as Zocalo will reopen as The Commune Kitchen.

Public Health Nurse Updates

Mrs. Waden informed the Board:

- An 8 year old boy recently passed away. The boy had been diagnosed with influenza but also had underlying medical conditions.
- There has been a flu spike in Arlington 57 confirmed cases since September 2015.

- Arlington still has state supplied flu vaccine and the Public Health Nurse, Mrs. Kara Katz, has been contacting local physician's offices for distribution.
- 3 confirmed cases of mumps in Arlington.

Public Comment

None

Other:

A Motion was made by Mr. Kohlberg, which was seconded by Dr. Fitzpatrick, to adjourn the meeting at 8:06 pm.

Vote: Motion approved unanimously (3-0)

Meeting was adjourned at 8:06 pm.

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR DANIEL J. DUNN, VICE CHAIR KEVIN F. GREBLEY STEVEN M. BYRNE JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE

TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

DECISION of the LOCAL LICENSING AUTHORITY

Licensee:

Arlington Liquors d/b/a "Alexander Liquors"

Licensed Premises:

94B Summer Street

(Arlington Liquors)

License No.:

003000048

License Type:

Package Store License

Expiration Date:

December 31, 2016

On November 14, 2016, after proper notice and hearing, the Town of Arlington's Board of Selectmen, in its capacity as local liquor licensing authority ("LLA"), unanimously voted to impose a five (5) day license suspension held in abeyance for a one-year probationary period to end on November 30, 2017. Should this LLA find the license holder in violation of G.L. c. 138, any regulation promulgated by the Alcoholic Beverages Control Commission ("ABCC") or its own regulations, within such a period,

the license shall be immediately suspended for five (5) days in addition to any suspension or other sanction for the new violation.

It is also the expectation of this Board, that the license holder make arrangements to bring the licensed premises into compliance with sign regulations codified in the Town's Zoning Bylaws, and up to the standards expected of license-holders in Arlington generally.

In accordance with G.L. c. 138, § 23, the LLA hereby provides this statement of reasons for its action.

Procedural History. Following a thorough investigation, including interviews, reviews of pertinent local and state records, and further evidence collected, by the Arlington Police Department ("Department"), it was determined that on or about the evening of February 26, 2016, Arlington Liquors staff called the Department for assistance with a medical emergency on the licensed premises — 94B Summer Street, Arlington. APD Patrolman Officer Scott Urquhart along with Sergeant Gregory Flavin responded and rendered aid to the license holder, Mr. Alex Kushnirsky. In the process of rendering such aid, 60 milligrams of edible marijuana was recovered from Mr. Kushnirsky's person. Subsequent investigation confirmed that Mr. Kushnirsky was not then licensed or otherwise permitted to possess medical marijuana under the Commonwealth Medical Use of Marijuana program.

As a duly appointed agent for the LLA, the Department in conjunction with the Arlington Legal Department recommended a hearing to determine if any violations of state or local alcohol laws occurred.

In accordance with G.L. c. 138, § 23(4), the Board convened a hearing on November 14, 2016, at approximately 7:15 p.m. to consider whether or not any violation of c. 138, ABCC regulations or LLA regulations occurred at Arlington Liquors on the evening at issue. The licensee was notified of the hearing by certified letter dated November 2, 2016 and acknowledged receipt of same.

Questions Presented.

- (1) Did a violation of the state liquor law occur on the above-referenced premises by an agent, manager, or employee's possession of marijuana on the license premises under G.L. c. 138 sec. 64 and/or 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?
- (2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result of any such violation?

Evidence.

The following witnesses appeared and testified:

- (1) Police Officer Scott Urquhart, Arlington Police Department: summarized investigatory findings of the Department, including information codified in Incident Report No. 16004573 and relevant investigative supplements ("Incident Reports").
- (2) Alexander Kushnirsky Owner and Manager of Arlington Liquors with Robert Panico, Esq., his counsel provided the Licensee's recitation of events, evidence of mitigating circumstances, as well as a list of remedial actions taken in response to a number of issues raised during the hearing.

Findings of Fact. On the basis of the evidence presented at the November 14, 2016 Hearing described above, the LLA made the following findings of fact:

¹ The License Holder was provided a copy such incident reports in advance of the hearing by the Legal Department.

- On February 26, 2016, at approximately 9:02 p.m. Sgt. Gregory Flavin
 and Officer Scott Urquhart were dispatched to 94 Summer Street
 (Arlington Liquors) to investigate a report of an unconscious person inside
 the premises. *Incident Report; Urquhart Testimony*.
- 2. Upon arrival, APD personnel spoke with an Arlington Liquors employee, Roman Ivanov, who led the officers to an office inside Arlington Liquors where owner/manager Alex Kushnirsky was found unresponsive. *Incident Report; Urquhart Testimony*.
- Arlington Liquors employee Almaz Imamaliev noted to officers that Mr.
 Kushnirsky had arrived at Arlington Liquors earlier that evening at approximately 6:30 p.m. and went into his office. *Incident Report*;
 Urquhart Testimony.
- Officer Urquhart rendered aid to Mr. Kushnirsky, who was revived and received further assistance from the Arlington Fire Department. *Incident* Report; Urquhart Testimony.
- 5. However, a check of the immediate area in which officers found Mr. Kushnirsky possessed 60 milligrams of "Kool Ballz" THC Edible Marijuana in his pocket, which was seized and kept in evidence by APD. Incident Report; Urquhart Testimony.
- Mr. Kushnirsky did not deny possessing or consuming marijuana that evening, but denied consuming any other drugs. Incident Report; Urquhart Testimony; Kushnirsky Testimony.

- 7. At the time of the incident in question, Mr. Kushnirsky was not a registered medical use of marijuana patient in the Commonwealth of Massachusetts., but has since obtained a medical use of marijuana card to help manage a chronic condition which has required numerous surgical interventions. Incident Report; Urquhart Testimony; Kushnirsky Testimony.
- 8. The license holder has not had previous alcohol-related violations, but has been penalized for underage tobacco sales previously. Mr. Kushnirsky described remedial actions take to address such violations. Kushnirsky Testimony.

<u>Conclusion</u>. On the basis of the findings of fact recited above, the LLA made the following conclusions on the Questions Presented:

(1) Did a violation of the state liquor law occur on the above-referenced premises by an agent, manager, or employee's possession of marijuana on the license premises under G.L. c. 138 sec. 64 and/or 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises?

Yes.

(2) If so, what action, if any, will the LLA take concerning the abovereferenced license as a result?

A five (5) day license suspension held in abeyance for a one-year probationary period to end on November 30, 2017.

Discussion.

The ABCC and courts have long upheld that illegality on the premises of a licensed establishment may serve as grounds for modification, suspension, or revocation of a liquor license. 204 C.M.R. 2.05(2) states:

No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not.

To that end, "disorder, disturbance or illegality of any kind" includes the possession of illicit drugs and paraphernalia on licensed premises. See e.g., Rico's of the Berkshires, Inc. v. Alcoholic Beverages Control Commission, et al., 19 Mass. App. Ct. 1026, 477 N.E. 2d 174 (1985)(possession of cocaine and drug paraphernalia on licensed premises by an employee sufficient for penalty under 204 CMR 2.05(2)). While the landscape regarding marijuana possession has changed in the Commonwealth, at the time of the incident in question it is beyond dispute that it was unlawful to possess one ounce or less marijuana pursuant to G.L. c. 94C §32L.

In the matter before this Board, it is uncontested that Mr. Kushnirsky, the owner and manager of Arlington Liquors possessed on his person a medical marijuana product without then being a registered medical marijuana cardholder in the Commonwealth. As such, there is no question that an illegality took place on the premises and the terms of Mr. Kushnirsky's license were violated. The Board also found additional cause for concern in previous tobacco sale violations and the general conditions of the licensed premises, which may be in violation of other Arlington rules and regulations with respect to signage and other matters.

The Board appreciates that Mr. Kushnirsky has taken steps to address some of these concerns, and further, that he obtained a personal medical marijuana card to help him manage the medical conditions he represents led to the mistakes he made in possessing marijuana on the premises on the evening in question. We pause however to caution that a medical marijuana card is not a license to override the strictures of 204

C.M.R. 2.05(2), to work in the capacity as a liquor store owner or manager while impaired by marijuana, alcohol, or any other substance. Nonetheless, we credit his testimony that he has taken steps to address his own mistake, and will rectify the appurtenant conditions of concern this Board raised to his attention.

Therefore, considering all of the above-discussed evidence, the LLA chooses to issue a five (5) consecutive day suspension, to be held in abeyance for a one-year period of probation ending on November 30, 2017. Should any violation occur within that period, Arlington Liquors will serve said 5-days beginning on the same day of the week the original violation took place, a Friday.

Order. For the reasons stated herein, the above-referenced license is in PROBATION for a period of one year to end on November 30, 2017. Should the licensee violate the terms of its license, c. 138, or any regulation of the ABCC during such period, the license will be <u>SUSPENDED</u> for five (5) consecutive days to commence on a Friday, in addition to further penalties the licensee may face for a future violation.

Licensee is hereby advised of their right to appeal this decision to the ABCC within five (5) business days of receiving this decision and order.

Dated: November 28, 2016

By:	
TOWN OF ARLINGTON BOARD OF SELECTMEN	
miane m. (makon)	
Diane M. Mahon, Chair	
Daniel J. Dunn, Vice-Chair	
Kerin F Greeley	
Kevin F. Greeley	
Joseph A. Curro, Jr.	
and Fr	
Stoven M. Byrde	



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # . 17005217/1

OFFICER PORCIELLO RANK INSP

REVIEW STATUS APPROVED .

INCIDENT #17005217 DATA

As Of 02/28/2017 08:04:46

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION . 112 MYSTIC ST APT/UNIT#

DATE/TIME REPORTED

02/27/2017 18:59:17

DATE/TIME OCCURRED On or about 02/27/2017 18:59

INCIDENT TYPE/OFFENSE **ASSIST**

[NO PERSONS]

I'NO OFFENDERS]

[NO AEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005217-1/PORCIELLO (INSP)

DATE/TIME OF REPORT 02/27/201718:59:17

TYPE OF REPORT INCIDENT

REVIEW STATUS APPROVED

NARRATIVE

On February 27, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. Prior to conducting the checks both operatives were breath tested using the portable breath test. The male blew a 0.00 (test 103) and the female also blew a 0.00 (test 104). The operatives were photographed and provided me with parental releases. They were given a copy of the recommended guidelines for conducting underage sting operations. They both read, understood and signed the recommended guidelines, Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplant from the Arlington

Youth and Safety Coalition provided us with 100 dollars to conduct the compliance checks. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following are the restaurants/businesses that were closed.

- -Noodle Market located at 470-472 Mass Ave.
- -Punjab Fine Indian Cuisine located at 485-487 Mass Ave.
- -Sabzi located at 352A Mass Ave.
- -Commune Kitchen located at 203 A&B Mass Ave.
- -Little Q Pot & Szechuan House located at 196 Mass Ave.
- -Ristorante Olivio located at 193-201 Mass Ave.
- -Sugo Cuicina Italiano located at 164 Mass Ave.
- -Arlington Restaurant and Diner located at 134 Mass Ave.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- -At 5:02PM the operatives entered Menotomy Grill and Tavern located at 25 Mass Ave, No alcohol was served.
- -At 5:08PM the operatives entered Spy Pond Beer & Wine (Giles Wine and Spirits) located at 137 Mass Ave. no alcohol was sold.
- -At 5:11PM the operatives entered Za located at 138 Mass Ave. No alcohol was served.
- -At 5:57PM the operatives entered Otto located at 202 Mass Ave. No alcohol was served.
- -At 6:21PM the operatives entered Acitron located at 473 Mass Ave. No alcohol was served.
- -At 6:28PM the operatives entered Tango located at 464 Mass Ave. No

alcohol was served.

-At 6:31PM the operatives entered Singh Saab Fine Indian located at 444 Mass Ave, No alcohol was served.

-At 6:34PM the operatives entered Shanghai Village located at 434-436 Mass Ave. No alcohol was served.

-At 4:43PM the operatives entered Menotomy Beer and Wine located at 80 Broadway. No alcohol was sold.

-At 4:51PM the operatives entered Fusion Taste located at 303A-305 Broadway. No alcohol was served.

-At 4:53PM the operatives entered the Common Ground located at 319 Broadway. No alcohol was served.

The following is a list of the compliance checks that resulted IN A VIOLATION with a brief description of the violation.

-At 5:19PM the operatives entered Zhu's Garden located at 166 Mass Ave. At 5:25PM the operatives exited Zhu's Garden and returned to our vehicle. The operatives informed us that they were seated inside and had an Asian woman wearing black clothing as a server. The operatives ordered 2 Peak Fresh Cut beers and were served the alcohol. The total cost of the purchase was \$10.70. The operatives provided me with the receipt and the change which amounted to \$9.30. Myself and Detective Sergeant Gallagher entered Zhu's Garden, observed that there were no other customers in the restaurant and spoke to the manager now known to us as Bowei Zhu. Zhu acknowledged the sale and directed me to the server who identified herself as Fanguyan Chen. Chen acknowledged that she had served the two operatives.

-At 5:34PM the operatives entered Duet located at 190 Mass Ave. At 5:41PM the operatives exited Duet and returned to our vehicle. The operatives informed us that they sat at the restaurant's bar and ordered 2 Kronenbourg 1664 beers and were served the alcohol. The total cost of the purchase was \$12,84. The operatives provided me with a receipt and the change which amounted to \$7.16. They reported that the bar tender was a white male who was approximately 6'00" with an average build. The bar tender informed the operatives of upcoming wine tastings. After receiving their receipt they left the restaurant. Myself and Detective Sergeant

Gallagher entered Duet, observed 1 couple seated at a table and 1 man at the bar. We met the manager at the greeting booth and informed her that there had been an alcohol violation and 2 underage operatives were served alcohol at the bar. I was directed to the bar where I met the bar tender who identified himself as Tim Hurlburt. It should be noted that the receipt lists the server as Timothy H. Hurlburt acknowledged the sale to the two operatives. He stated, "I didn't ID them, my fault."

It should be noted that the serves were never witnessed by Inspectors and were reported to us by the operatives.

Once back at the station the 2 receipts from Zhu's Garden and Duet were bagged as evidence together. The evidence bag was then secured in evidence locker 9. The operatives were again breath tested using the portable breath test. The male blew a 0.00 (test 105) and the female also blew a 0.00 (test 106). The operative's property was returned.



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # 17005303/1

OPPICER PORCIELLO RANK INSP

<u>REVIEW STATUS</u> APPROVED

INCIDENT #17005303 DATA

As Of 03/02/2017 08:02:10

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION 112 MYSTICST APT/UNIT#

DATE/TIME REPORTED

02/28/2017 18:48:30

DATE/TIME OCCURRED On or about 02/28/201718:48

INCIDENT TYPE/OFFENSE

ASSIST

INO PERSONS 1

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005303 "1/PORCIELLO (INSP)

DATE/TIME OF REPORT 02/28/2017 18:48:30

TYPE OF REPORT INCIDENT

REVIEW STATUS APPROVED

NARRATIVE

On February 28, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. Prior to conducting the checks both operatives were breath tested using the portable breath test. The female blew a 0.00 (test 107) and the male also blew a 0.00 (test 108). The operatives were photographed and provided me with parental releases. They were given a copy of the recommended guidelines for conducting underage sting operations. They both read, understood and signed the recommended guidelines. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplant from the Arlington

Youth and Safety Coalition provided us with 100 dollars to conduct the compliance checks on the previous evening and the remaining money was used to conduct the compliance checks on today's date. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- -At 4:59PM the operatives entered Sono located at 469 Summer St #3&4. No alcohol was served.
- -At 5:32PM the operatives entered Scutra located at 92 Summer St. No alcohol was served.
- -At 5:08PM the operatives entered Not Your Average Joes located at 645 Mass Ave. No alcohol was served.
- -At 5:15PM the operatives entered Thai Moon located at 663 Mass Ave. No alcohol was served.
- -At 5:17PM the operatives entered Pasha Mediterranean located at 669A Mass Ave. No alcohol was served.
- -At 5:20PM the operatives entered Tryst located at 689 Mass Ave. No alcohol was served. -
- -At 5:25PM the operatives entered Mr. Sushi located at 693 Mass Ave. No alcohol was served.
- -At 5:53PM the operatives entered Toraya located at 890 Mass Ave. No alcohol was served.
- -At 6:00PM the operatives entered the Mystic Wine Shoppe located at 901 Mass Ave. No alcohol was sold.
- -At 6:06PM the operatives entered Jimmy's Steer House located at 1111 Mass Ave. No alcohol was served.
- -At 6:13PM the operatives entered Szechuan's Dumpling located at 1360 Mass Ave. No alcohol was served.

-At 6:18PM the operatives entered Thai E-Sarn located at 1377-1381 Mass Ave. No alcohol was served, ...

-At 6:35PM the operatives entered Nina Trattoria & Pizzeria located at 1510 Mass Ave. No alcohol was served. It should noted that this restaurant has not begun selling beer and wine.

The following is a list of the compliance checks that resulted IN A VIOLATION with a brief description of the violation.

-At 4:48PM the operatives entered Arlington Liquors located at 94 Summer St. At 4:50PM the operatives exited Arlington Liquors and returned to our vehicle carrying a six pack of 12 ounce Bud Light cans. The operatives informed us that the cashier sold them the six pack while failing to ask for identification. The operatives provided us with the sales receipt which documented that their purchase of the six pack amounted to \$7.00. The operatives returned the \$13.00 in change. They described the cashier as being a male with dark hair and having a tanned complexion. I entered Arlington Liquors and spoke to the cashier who identified himself as Almaz Imanlieve. I identified myself as an Arlington Police Detective and informed him that he sold a six pack to 2 underage operatives. Almaz acknowledged the sale and reported that he thought he had seen them in the business in the past,

-At 6:21PM the operatives entered Prime, Your Local Butcher located at 1398 Mass Ave. At 6:23 the operatives exited Prime, Your Local Butcher carrying a six pack of 12 ounce Heineken bottles. The operatives informed us that the cashier sold them the six pack while failing to ask for identification. The operatives provided us with a sales receipt which documented that their purchase of the six pack amounted to \$10.99. The operatives returned the \$9.01 in change. The cashier was described as a white male in his twenties with curly brown hair. As we were seated in the car an employee exited the business carrying trash. The operatives identified the employee as being the cashier who sold them the six pack. I then entered the business and spoke to the manager now known to me as Scott Carta. I identified myself as an Arlington Police Detective and informed Carta that a violation had occurred. I then directed Carta's attention to an employee who had been identified by the operatives as selling the six pack. Carta reported that the employee's name is James Cerone. We were able to speak to Cerone who acknowledged selling the six pack of Heineken without asking for identification.

It should be noted that the serves were never witnessed by Inspectors and were reported to us by the operatives.

Once back at the station 2 receipts from Arlington Liquors and Prime, Your Local Butcher were bagged as evidence together. The Bud Light six pack (12 oz cans) and the Heineken six pack (12 oz bottles) were tagged as evidence separately. The evidence bag containing the receipts and the 2 tagged six packs were then secured in evidence locker 3. The operatives were again breath tested using the portable breath test. The female blew a 0.00 (test 109) and the male also blew a 0.00 (test 110). The operative's property was returned. It should be noted that the tagged evidence indicates that the evidence was placed in locker 7. However, locker 7 was not operating correctly and the evidence was then placed in locker 3.

The remaining \$58.47 will be returned to Ivy Laplant.



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # 17005303 / 2

OFFICER, PORCIELLO

REVIEW STATUS APPROVED

INCIDENT #17005303 DATA

As Of 03/02/2017 08:02:10

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

DATE/TIME REPORTED

02/28/201718:48:30

INCIDENT TYPE/OFFENSE

TETERA

112 MYSTIC ST

APT/UNIT#

DATE/TIME OCCURRED . On or about 02/28/2017 18:48

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005303 - 2 / PORCIELLO (INSP)

DATE/TIME OF REPORT 02/28/2017 18:48:30

TYPE OF REPORT SUPPLEMENT

REVIEW STATUS APPROVED

On March 1, 2017 at approximately 15:10 hours, the Bud Light and Heineken six packs were removed from evidence, photographed and disposed of. The photographs have been attached to this report.



ARLINGTON POLICE ARLINGTON, MA

INCIDENT # / REPORT # 17006003/1

PORCIELLO

RANK INSP

REVIEW STATUS APPROVED

INCIDENT #17006003 DATA

As Of 03/09/2017 07:52:57

BASIC INFORMATION

CASE TITLE

ALCOHOL COMPLIANCE CHECKS

112 MYSTIC ST

APT/UNIT#

DATE/TIME REPORTED

03/08/2017 18:02:16

DATE/TIME OCCURRED On or about 03/08/2017 18:02

INCLUENT TYPE/OFFENSE ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17006003 - 1 / PORCIELLO (INSP)

DATE/TIME OF REPORT 03/08/2017 18:02:16

TYPE OF REPORT

REVIEW STATUS APPROVED

NARRATIVE

On March 8, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. The operatives were the same that were used in alcohol compliance checks assigned to incident numbers 17005217 and 17005303. Prior to conducting the checks both operatives were breath tested using the portable breath test. The female blew a 0.00 (test 111) and the male also blew a 0.00 (test 112). The operatives were then photographed. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplante of the Arlington Youth and Safety Coalition had previously supplied us with money for past compliance checks. The remaining \$58.47 was used on today's date. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- -At 4:28PM the operatives entered the Commune Kitchen located at 203 A&B Broadway. No alcohol was served.
- -At 4:43PM the operatives entered Sugo Cucina Italiana located at 164 Mass Ave. No alcohol was served.
- -At 5:07PM the operatives entered Little Q Pot-Szchuan House located at 196 Mass Ave. No alcohol was served.
- -At 5:12PM the operatives entered Ristorante Olivia located at 193-201 Mass Ave. No alcohol was served.
- -At 5:15PM the operatives entered The Capital Theatre located at 204 Mass Ave. No alcohol was served.
- -At 5:48PM the operatives entered Sabzi located at 352A Mass Ave. No alcohol was served.

Once back at the station the operatives were again breath tested using the portable breath test. The female blew a 0.00 (test 113) and the male also blew a 0.00 (test 114). The operative's property was returned.

The remaining \$58.47 will be returned to Ivy Laplante.



Town of Arlington, Massachusetts

CITIZENS OPEN FORUM



Town of Arlington, Massachusetts

Request: One Space, On Street Overnight Parking @ 36 Sutherland Road

Summary: Nicholas Urie

ATTACHMENTS:

	Type	File Name	Description
D	Reference Material	Police_36_Sutherland_Overnight_Parking_Request.doc:	x Police Recommendations
D	Reference Material	Sutherland_Road.pdf	Resident Request, Meeting Notice

ARLINGTON POLICE DEPARTMENT

CHIEF OF POLICE Frederick Ryan



POLICE HEADQUARTERS 112 Mystic Street Telephone 781-316-3900 Facsimile 781-316-3919

MEMORANDUM

TO: Marie Krepelka

Board Administrator

FROM: Officer Corey P. Rateau

Traffic and Parking Unit

DATE: September 7, 2017

RE: One Space, On-Street Overnight Parking @ 36 Sutherland Road

The Traffic and Parking unit has reviewed the petition submitted by Mr. Nicholas Urie for one onstreet overnight parking space in front of 36 Sutherland Road. After reviewing the petition, we do not feel that the circumstances presented rise to the level of exigency for which an on-street waiver is normally granted. It is suggested that Mr. Urie purchase an overnight permit for Hurd Field for his extra vehicle.

CPR

Cc: Frederick Ryan

Police Chief

Capt. James Curran Operations Commander

Lt. Paul Conroy

OIC / Traffic, Details, and Licensing

Deputy Chief John Kelly Arlington Fire Operations

Adam Chapdelaine Town Manager From: Nicholas Urie <nurie@berklee.edu>
To: mkrepelka@town.arlington.ma.us
Date: Wed, 2 Aug 2017 11:21:34 -0400
Subject: On street parking request

Marie,

I am writing to request an on street parking waiver.

My family's work situation has changed since moving to Arlington two years ago which has made it necessary for us to have two cars. When we moved to Arlington we were a happy one car family and purchased a house (36 Sutherland Road) that had one off-street parking spot.

My wife Katie plays with the Boston Symphony and spends her summers working in the Berkshires playing the Tanglewood season. I am a professor at Berklee College of Music and have traditionally had the summers off to spend with my wife and daughter (Flora, who is three) out in the Berkshires. The issue now is that I am teaching summer school and Flora has started preschool at Arlington Heights Nursery School (AHNS). I can't refuse the summer schedule and for Flora to keep her place at AHNS she needs to go year round. Flora and I spend the week in Arlington and travel to the Berkshires on Friday nights to spend the weekend with Katie. We all return on Sunday nights and then Katie heads back out to Western Mass on Tuesday. For our family's logistics to work we really need two cars.

Our house has ample space in front of it to fit our car without being directly behind our neighbor's driveway — directly across the street is a retaining wall. I don't think our car will alter traffic flow or the aesthetics of the street negatively. I've also asked all of our immediate neighbors if an on street waiver would inconvenience them. They seem to all be fine with the idea.

I appreciate the Board of Selectmen's consideration of this issue and I look forward to hearing back from you.

Thank you, Nicholas Urie

nurie@berklee.edu 617.460.1939 36 Sutherland Road Arlington, MA 02476 nicholasurie.com

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

August 25, 2017

Nicholas Urie 36 Sutherland Road Arlington, MA 02476

Dear Mr. Urie:

The Board of Selectmen will be discussing your request for on street overnight parking at their meeting on Monday, September 11th in the Selectmen's Chambers, Town Hall, 2nd Floor. The meeting begins at 7:15 p.m. You or your representative is invited to be in attendance at this meeting.

Kindly call the office of the Board of Selectmen to confirm the date and time with either Mary Ann or Fran.

Thank you.

Very truly yours, BOARD OF SELECTMEN

Marie a. Krepuber

Marie A. Krepelka Board Administrator

MAK:fr



Town of Arlington, Massachusetts

Spring Road (3 Spring Rd. to 15 Spring Rd.)

Summary:

a) Request: Repair to Private Way

b) Betterment Order
Mark Folix, 11 Spring P

Mark Felix, 11 Spring Road (tabled from 7/24/17 meeting)

ATTACHMENTS:

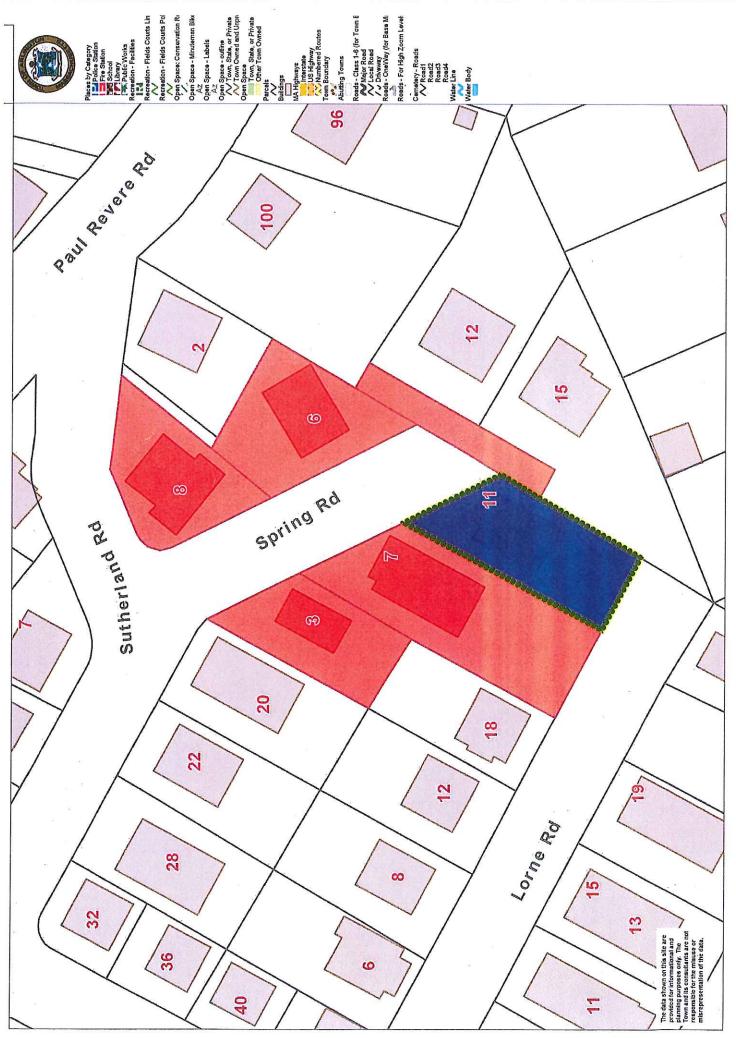
	Type	File Name	Description
D	Reference Material	Abutter_Project_Approval.pdf	Abutter Project Approval
D	Reference Material	Spring_Rdmap.pdf	Spring Road map
D	Reference Material	Resident_Mailing_#3.doc	Abutter Meeting Notice
D	Reference Material	Bylaws_Repairs_to_Private_Ways.pdf	Repairs to Private Ways Town Bylaws
D	Reference Material	Betterment_Order_#2docx	Betterment Order

0

\$28,500.00

PIF

ABUTTER ADDRESS	NAME	N/N	LOT SIZE	PRICE	1/3 AMT	PAID	2/3 AMT	PAID AMT
8 Sutherland Rd.	Morgan/Flynn	Z	H	\$4,750.00				
3 Spring Rd.	Sanford/Day		П	\$4,750.00		27		
6 Spring Rd.	Julia Grunewald	\	Н	\$4,750.00				
7A Spring Rd.	Rama Shmeis	>	half	\$2,375.00				
7B Spring Rd.	Carmen/Gang Li	>	half	\$2,375.00				
11A Spring Rd.	Mark Felix	>	half	\$2,375.00				
11B Spring Rd.	Paritosh Khobare	٨	half	\$2,375.00				
12 Spring Rd.	Magliano	>	half	\$2,375.00				
15 Spring Rd.	Jason Young	>	half	\$2,375.00				



Printed on 06/06/2016 at 12:41 PM

OFFICE OF THE BOARD OF SELECTMEN

JOSEPTH A. CURRO, JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

August 21, 2017

To Residents of Spring Road:

The Arlington Board of Selectmen will be taking action on a petition received from two-thirds of the abutters of the private way known as Spring Road (from 3 Spring Rd. to 15 Spring Rd.) in accordance with Arlington Town bylaws, "Repairs to Private Ways", on Monday, September 11, 2017 at 7:15 p.m. in the Selectmen's Chambers, 2nd Floor, Town Hall, 730 Massachusetts Avenue, Arlington, MA.

The purpose of this Agenda Item is to determine if the repairs should be made. The Agenda Item will provide property owners an opportunity to be heard on the matter prior to the Selectmen taking action on the petition.

The total estimated cost of the work to be performed is \$28,500.00. The estimated assessment to the abutting property owners is \$4,750.00 per lot and \$2,375.00 per half lot. If the Selectmen approve the project, one-third of the total estimated cost (\$1,583.33 per lot and \$791.67 per half lot) is required by certified check or money order prior to the start of the project. The remaining balance will be due upon completion, or if you choose, it can be assessed on your tax bill for payment over a **five-year period with interest**, in accordance with the M.G.L. Chapter 80, The Betterment Act.

Should you have any questions regarding this, please do not hesitate to contact me.

Very truly yours, BOARD OF SELECTMEN

Marie A. Krepelka Board Administrator

MAK:fr Attachment

S:\Private Ways\Spring Rd.doc

TOWN BYLAWS - REPAIRS TO PRIVATE WAYS

ARTICLE 3 REPAIRS TO PRIVATE WAYS

Section 1. Classification

The Town Engineer and the Director of Public Works upon request of the Board of Selectmen acting in its capacity as the Board of Public Works shall recommend the classification of private ways in the Town according to the state of their construction and repair. The Board may then adopt such classifications with any modifications it may deem appropriate.

Section 2. Definition and Authorization (ART. 20, ATM - 05/04/92) (ART. 23, ATM - 04/28/04)

The Board may vote to direct the Town Manager to make temporary repairs to private ways. Temporary repairs shall be limited to the filling of potholes, temporary patching, skimcoating, thin asphalt overlays, armor coating and grading of dirt roadways providing however, in the case of said grading, the petitioners agree to enter into a contract with a private contractor or the Town to pave the roadway forthwith. Drainage may be included when necessary as determined by the Public Works Director, to prevent further erosion.

Section 3. Criteria (ART, 35, ATM – 05/18/05)

The Board shall in making its determination as to the advisability of making temporary repairs take into consideration the following factors:

- A. The accessibility of the properties on the private ways to emergency vehicles such as police, fire and rescue.
- B. The volume of traffic that utilizes the private way i.e. deadend as opposed to feeder or connecting streets.
- C. The percentage of abutters on the particular private way petitioning the Board for the repairs.
- D. The number of years that the way shall have been open to public use.
- B. Such other considerations that the Board deems appropriate.
- F. Public Safety.

Section 4. Petition

The Board of Selectmen shall consider any private way or portion thereof for temporary repairs after having been petitioned to do so by at least two-thirds of the total number of abutting property owners on the Private Way who directly abut the portion to be considered for temporary repairs.

The Board may after careful consideration, elect to do the entire portion which was petitioned for, or a lesser portion, provided at least two-thirds of the abutting property owners on the lesser portion to be done are in favor of such action. The Board shall upon receipt of a petition with at least two-thirds of the abutters' signatures affixed thereto shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All abutters shall be given written notice of the hearing not less than seven (7) days prior thereto.

Section 5. Alternate Petition

Notwithstanding the provisions of Section 4 above, the Board may also consider a number of private ways for repair as a whole project when these private ways are ways where a majority of abutters are members of an association of abutters whose major purpose has been the maintenance and repair of those ways upon which these members' properties abut.

The Board may only consider these private ways to be repaired as a whole project when having been petitioned by two-thirds of the total number of abutters who abut all of the ways represented by the association. The Board upon receipt of such a petition shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All of the abutters on all of the ways represented shall be given written notice of the hearing not less than seven days prior thereto.

Section 6. Assessment of costs (ART. 23, ATM – 04/28/04) (ART. 35, ATM – 05/18/05)

The costs of all labor and materials and processing shall be assessed equally to all abutters on the private way, or portion thereof, or if the Board votes to order any repairs pursuant to a petition filed under Section 5 all the abutters on all the private ways to be repaired without regard to linear frontage.

A *one-third deposit* of the total estimated cost of the completion of the repair project shall be required before any work can be commenced. All remaining costs shall be apportioned, assessed and collected on a per-property basis pursuant to the procedures provided in Chapter 80 of the General Laws, the Betterment Act, including the placing of liens on the affected property and the collection of apportioned costs by means of property tax collection.

Any and all such deposits shall be deducted from the equalized share of the property owners actually paying,

Section 7. Collection of Apportioned Share (ART. 35, ATM - 05/18/05)

The Board of Selectmen before authorizing any repairs shall adopt a formal Betterment Order which shall require each abutter to pay his/her property's unpaid apportioned share of the repair cost over a five-year period to include interest at 5 percent or 2 percent above the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question. The Assessors in conjunction with the Town Tax Collector will commit such amount to the respective abutters property tax bill and the Engineering Division of the Public Works Department will cause same to be recorded at the Registry of Deeds so that same runs with the land.

Section 8. Liability

(ART. 35, ATM - 05/18/05) (ART. 19, ATM - 05/04/92)

There shall be a limitation of liability on the Town of Five Hundred (\$500.00) Dollars for any damages arising from any negligent repair of the private way which shall include damage from surface water run-off.

No repair shall be commenced until all the petitioners have signed an agreement with the Town holding the Town harmless from any additional damages arising from any negligent repair and providing evidence of insurance to the satisfaction of the Town. However, nothing in this paragraph shall excuse the Town from damages to property caused by the Town or agents thereof, during the repair process.

TOWN OF ARLINGTON MIDDLESEX COUNTY, MASSACHUSETTS

September 11, 2017

Order relating to Spring Road (from 3 Spring Road to 15 Spring Road) Roadway Improvements.

Moved and Seconded that the Board of Selectmen acting pursuant to G.L. c. 40 § 6N, c. 80 §§ 1-16, and Article 3 of Title III "Repairs to Private Ways" of the Bylaws, hereby issue the following order to assess betterments for Spring Road (from 3 Spring Road to 15 Spring Road).

- (1) Betterments are to be assessed for work done in accordance with the project entitled "Spring Road (3 Spring Rd. to 15 Spring Rd.), Private Street Repair Project".
- (2) Betterments shall be assessed equally upon each parcel of land benefiting from such roadway improvements based upon the number of parcels whose address, as assigned by the Town Engineering Department is on Spring Road (3 Spring Rd. to 15 Spring Rd.).
- (3) Betterment Costs, currently estimated at \$28,500.00 shall be assessed over a five year period at an interest rate not to exceed 5%; and
- (4) Final assessment of betterment costs shall be determined after the work is completed in accordance with the above Plan and as accepted by the Town.

By Order, Board of Selectmen	
Joseph A. Curro, Jr., Chairman	
Steven M. Byrne, Vice Chair	
Kevin F. Greeley	
Diane M. Mahon	
Daniel I Dunn	



Town of Arlington, Massachusetts

For Approval: Ash Tree Removal @ 40 Webcowet Road

Summary:

Jay Bradley and Keith Lombardi

ATTACHMENTS:

	Type	File Name	Description
D	Reference Material	Appeal_of_Tree_Warden_Decision.pdf	Appeal of Tree Warden Decision
D	Reference Material	Resident_Notification_of_BoS_Meeting.pdf	Residents' Notification
D	Reference Material	TLecuivre_Tree_Hearing_Reference_7.10.17.pdf	Tree Warden Reference from Hearing of 7.10.17

Keith Lombardi

5 Oldham Rd Arlington, MA 02476 781-883-11235 rebeccalombardi@hotmail.com

July 14 2017

Dear Arlington Board of Selectman,

I would like to appeal the findings of the Tree hearing held on July $10^{th}\ 2017$ regarding an Ash tree located at 40 Webcowett rd Arlington. Thank you for your attention t this matter.

Warm regards, Keith Lombardi

NOTICE

Town of Arlington

September 6, 2017

Dear Resident:

You are hereby notified that there will be an Agenda Item on the Board of Selectmen's Agenda for the meeting scheduled Monday, September 11, 2017 regarding a petition received objecting to the Tree Warden's decision concerning the non-removal of the Ash Tree located at 40 Webcowet Road. The meeting begins at 7:15 p.m. at the Office of the Board of Selectmen, 2nd Floor, Town Hall, Arlington.

Marie A. Krepelka

Board Administrator

Easy Peei[®] Labels Use Avery[®] Template 5160[®]

Herb Rosenbluth 34 Webcowet Road Arlington, MA 02474

Walter Cronin 53 Sherborn Street Arlington, MA 02474

Olga Comninos 22 Orchard Terrace Arlington, MA 02474

Jo Anne Preston 42 Mystic Lake Drive Arlington, MA 02474

John Ellis 59 Teel Street Arlington, MA 02474

Melissa Carr Jessica Chloros 69 Webcowet Road Arlington, MA 02474

John Burt 42 Mystic Lake Drive Arlington, MA 02474



Bend along line to expose Pop-up Edge™

Estha Blachman 26 Webcowet Road Arlington, MA 02474

Charlotte Milan 19 Bellevue Road Arlington, MA 02474

Frances McDonald 51 Webcowet Road Arlington, MA 02474

Judith Hyland 54 Webcowet Road Arlington, MA 02474

Michelle Durocher 65 Huntington Road Arlington, MA 02474

Judith Mansfield 54 Sherborn Street Arlington, MA 02474

Tracey Baptiste
47 Mystic Lake Drive #2
Arlington, MA 02474



Linda & Jim Annear 22 Webcowet Road Arlington, MA 02474

Kendra Griesman 95 Jason Street Arlington, MA 02476+

Maureen Kelly 51 Mystic Lake Drive Arlington, MA 02474

Craig Hunter Sally Royce 88 Webcowet Road Arlington, MA 02474

Christine Deshler 65 Huntington Road Arlington, MA 02474

Hannah Simon 34 Webcowet Road Arlington, MA 02474



TOWN OF ARLINGTON
Department of Public Works
Office of Tree Warden
51 Grove Street
Arlington, Massachusetts 02476
Office(781) 316-3114 Fax (781) 316-3109

July 27, 2017

Board of Selectmen

RE: Public Sade Tree Hearing: 40 Webcowet Road

Dear Selectmen,

The following is a summary of events concerning the Ash Tree located in front of 40 Webcowet Road.

Mr. Bradley, the representative for the contractor contacted my office to discuss the removal of the Ash Tree in front of 40 Webcowet Road, to install a new driveway for a newly constructed home. The tree is healthy, therefore a Public Tree Hearing is required under Massachusetts General Law Chapter 87.

The hearing was held on July 10, 2017 at 10:00am. Ten residents from the neighborhood attended the hearing with, signatures, photos, and letters, objecting the removal of the Ash Tree. There was no representation from the contractors camp at the hearing.

Also, the residents raised concerns about the contractors practices in 2015. Apparently, the contractor removed and transplanted Public Shade Trees on Webcowet Road without permission.

In conclusion, a Public Shade Tree Hearing was held and there was an objection. It is difficult to settle the matter at the hearing, when there is no representative from the side who initiates the requests for removal.

If the Select Board requests my presents at the meeting please feel free to contact me.

Sincerely,

Timothy A. Lecuivre, MCA Arlington Tree Warden Department of Public Works 51 Grove Street Arlington, MA 02476



TOWN OF ARLINGTON Department of Public Works Office of Tree Warden 51 Grove Street Arlington, Massachusetts 02476 Office(781) 316-3114 Fax (781) 316-3109

LEGAL NOTICE TREE HEARING Town of Arlington, MA Natural Resources Division

2017 JUN 26 MM 9: 56

In accordance with Chapter 87 of the Massachusetts General Laws, a public hearing will be held in the Conference Room at:

Place:

51 Grove Street, Lower Floor Meeting Room

Date:

July 10, 2017

Time:

10:00 a.m.

The hearing is to consider the proposed removal of:

Ash in front of 40 Webcowet Road. (DBH 18") by request of builder to install driveway.

The tree identified has been posted for public inspection. Interested parties are encouraged to attend. Any person objecting to the removal of this tree may attend the hearing or appeal in writing prior to the hearing. Letters should be addressed to:

Arlington Town Tree Warden, 51 Grove Street, Arlington, MA 02476

Tree Hearing 2017

Tim Lecuivre MCA

Arlington Tree Warden

James Bradley

40 Webcowet Road

Removal of 18" (DBH) Ash Tree "to install driveway"

7/10/17

10:00am

51 Groove St. Lower Floor Meeting Room

Attendance: 10 Residents from Webcowet Road and the surrounding neighborhood objecting for the tree removal, with additional letters. Their signatures and letters are provided.

Time: 10:00-11:00

(Not Present) Mr. Bradley would like to remove the Ash Tree to add new constructed home with enlarged driveway.

Each resident spoke for the objection for the tree removal and the importance of trees in the community.

Tree Hearing 2017

Name

Signature/ Date

Herb Bosenbluth	De 7/10/17
Estha Blachman	Eithe Blackman 7/10/17
LINDA L. ANNEAR	Bunda & Clexecu 7/10/1
WALTER CRONIN	Modflami 7/10/17
Charate Mila	Chaleken 7/2017
Kendra Griesman	Making de mariner 7/10/17
Jim Ohnen	allanen 7/10/17
Orga Comninas	coga Comminas 2/10/17
From HcDould	Sures in moderal 7-10-17
Moureentelly	Markgon Kelly 7/10/17
Jo Over Prestri.	Ja Dine Produ 7/10/17
Julia Delland	Attil allend 7-10-1;
Co. 400 EM 400 E	
Note your surn state they done sook that fire note then two sook bein blog case and bins both lates sook and some sore than sook made one you stop both two done being both lifts in	
THE FACE HAS BEEN FOR THE BEEN FOR THE BEEN FOR THE FACE HAS BEEN FOR THE BEEN FOR	ton must also that this find good and shall shal
We see out some the time that the time that they are that must see that the time the time that the time the time the time the time the time that the time the time that th	HOS STAN AND BOTH HOS HOS BOAR STAN HOS BOAR HOS STAN BOAR BOAR STAN BOAR BOAR STAN BOAR BOAR BOAR BOAR BOAR BOAR BOAR BOAR
Use how you print your ADI. Hay you got it now his you man have you got you come you got you got you was also blow that was not also have	

We oppose the removal of the healthy, mature street tree in front of 40 Webcowet Road.

Many trees have been removed from Webcowet Road over the last ten years, significantly diminishing the neighborhood tree canopy.

The developer's stated reason for removing the tree, that it is not conveniently located for constructing a driveway, is not a good reason when compared to the benefits of reducing air and noise pollution, reducing heat and wind, and limiting water runoff.

Replacement trees are too young to adequately compensate for the benefits of this large street tree.

We would also like to be consulted about any tree plan for the potential removal of a protected tree on the site of 40 Webcowet Road.

Address
53 SHERBORN ST ARLINGTON, M. DILLTY

The But 42 Myshic Lake Dr. Let. 22, m 18 02474

Frances Webscowet Rd. Deve 6 2474

Since Puth 42 Webscowet Rd 02474

Estha Blachman 26 Webscowet Rd. 02474

Herb Rosenbloth 34

If another Simon 22 Orchard Tor 02474

Milton and Silver 22 Orchard Tor 02474

Milton and Silver 22 Orchard Tor 02474

Milton and Silver 22 Orchard Tor 02474

My name is Herb Rosenbluth. I live at 34 Webcowet Road, next door to the property in question at #40.

As a taxpayer and homeowner I request that permission to remove this tree be denied.

It is not in the interest of the town of Arlington to allow developers to cut down trees for their convenience.

The trees provide shade and aesthetic pleasure for me and my neighbors. Some trees further down the street have been removed by developers and that has negatively altered the character of the neighborhood. Arlington is known for its trees. Without them the neighborhood feels sterile. Cutting down the tree in front of the house next door and replacing it with a huge concrete driveway would create a real eyesore.

Since this tree belongs to the Town and not to the developer, I as a taxpayer and homeowner request that permission to remove this tree be denied.

Tree Warden of the Town or Arlington
51 Grove Street
Arlington, MA 02474

RE: REMOVAL OF ASH TREE AT 40 WEBCOWET RD

Dear Sir:

I am writing to oppose the removal of the mature, healthy Ash street tree located in front of 40 Webcowet Road by a developer.

It is important to consider the aesthetics of the neighborhood during times of construction. Many people benefit from the shade and beauty the tree provides. The healthy and mature trees should not be taken down just because they are in the way of a developer. Our neighborhood has changed in the last ten years. We have seen our single family homes demolished and replaced with duplexes. Each time this is done a tree has been taken down in order for the developer to put in a drive way. When developers replace the trees they have removed, the replacements are of lesser quality and maturity and will not provide the shade, we have now.

My Husband, who is sixty-five years old, grew up on Webcowet Rd. We presently live on Mystic Lake Drive which runs into Webcowet Rd. To the best of his recollection, the tree, in question, was planted after a hurricane hit in the 1950's. That shows how long it takes for a tree to mature. We feel it would be a shame to take this tree down. It takes a life time to grow a tree like this and it is unlikely that the residents of this neighborhood would live to enjoy the benefits of the new tree.

When construction begins, every precaution should be taken to protect this tree.

Again, as resident of this area, I strongly oppose the removal of the mature ash tree located at 40 Webcowet Road.

Sincerely,

51 Mystic Lake Dr.

Arlington, MA 02474

51 Grove Street

Arlington, MA 02476

July 9, 2017

TO: The Tree Warden, Town of Arlington

RE: Street Ash Tree at 40 Webcowet Road

I oppose the removal of the mature, healthy Ash street tree located in front of 40 Webcowet Road for the purposes of a developer installing a driveway.

The town of Arlington has experienced a rapid diminishing of its tree canopy over the last decade as a recent survey found. On Webcowet Road alone, which is only two blocks long, at least six tree streets have been removed over the last ten years. Some were diseased but other were healthy, mature trees that limited basement flooding from storm water runoff, reduced air and noise pollution, and protected houses from heat and wind.

Where developers have installed replacement trees, these trees offer little of the benefits of the mature trees that they were intended to replace and, overall, due to poor planting, inferior saplings, and/or lack of watering, they have not prospered.

In order to preserve our valuable tree canopy, Massachusetts General Law Chapter 87 and the Town of Arlington bylaw Article 16 (Tree Protection and Preservation) strive to protect the public shade trees. The intent of these laws is to prevent publicly owned street trees from being removed just because they are not conveniently located. This is apparently the reason the developer wants to remove the Ash tree in front of 40 Webcowet Road.

Additionally, it would be important for the town tree warden to ensure the survival of the street tree by determining the critical root zone around the tree so that digging in this area (already begun) will not damage the root system of this mature Ash tree.

The loss of the large protected tree in the back of the property would necessitate a tree plan. I and my neighbors would ask that plan assure the provision for the same amount of water absorption, not just in 20 years but right after construction. The protected ree protects our basements from flooding.

Jo Anne Preston

42 Mystic Lake Drive

Arlington, MA 02474

July 9, 2017

Dear Town of Arlington Tree Warden,

We understand that there is a hearing to consider the proposed removal of a tree in front of 40 Webcowet Road, Arlington, MA.

We would not like to see this tree removed. It is a beautiful healthy tree. Walking around the neighborhood, you can see many other trees that are in need of attention.

We are not able to attend the hearing because of work.

We have lived in this neighborhood for 30 years at 54 Sherborn Street.

Thank you for your time regarding this issue.

John Mansfield

Judith A. Mansfield

July 9th, 2017

88 Webcowet Rd Arlington MA 02474

Arlington Tree Warden 51 Grove Street Arlington MA 02476

Dear Sirs

Re: Proposed removal of Ash in front of 40 Webcowet Road

We object to the proposed removal of the Ash tree situated in front of 40 Webcowet Rd Arlington.

Our objection is four fold. Firstly, on Webcowet Rd and the neighboring streets there is a current trend for removing established trees leaving wide open spaces which we feel is removing this neighborhood of its leafy charm. Many of the trees that have been removed have not been replaced.

Secondly as far as we are aware this tree is healthy and does not pose an immediate risk to the public. Sadly this cannot be said for some of the other trees on the street which even to the untrained observer look diseased and rotten. We strongly feel that this healthy tree should be saved to protect the mature canopy of the street from being significantly eroded.

Thirdly, earlier in the year the town offered a 'Community Tree Canopy Program, Spring 2017' with the focus on replacing trees in this area of Arlington (Thomson School district). We feel the removal of this healthy tree is in direct conflict with this wonderful initiative.

Finally, if the sole reason for this tree to be destroyed is so another cookie cutter duplex home can be built 'with ease' on the lot, we urge you to consider the larger implications for this neighborhood and deny this application for removal.

Best regards,

Craig J Hunter and Sally A Royce craigandsally@outlook.com 781-530-0757

Tree Warden
Attn: Tim Lecuivre
51 Grove St
Arlington MA 02474

Cc Mike Rademacher

Re Tree hearing

Pursuant to the regulations found on the Town of Arlington web site and MA state law chapter 87. I am formally objecting to the removal of the Ash street tree located at 40 Webcowet road.

My objection is as follows:

- 1.) Said tree is healthy, native species and provides economic and aesthetic value to neighbors and town at large.
- 2.) An alternative lot plan by the developer would allow for the tree to be saved.

I understand per the regulations my objection may be appealed by the home owner to the Board of Selectmen. I will encourage the selectmen to reject this appeal because this tree is a publically owned asset and should be treated as such.

Sincerely,

59 Teel St

Arlington MA 02474

7/6/2017

"Request/Answer Center" <arlingtonma@mycusthelp.net>

From: To:

tschanda@town.arlington.ma.us

Date:

07/05/2017 07:34 PM

Subject: Incoming General DPW Request

7/5/2017 7:33:12 PM

General Public Works

65 HUNTINGTON RD

MichelleDurocher

W082971-070517

Do **NOT** respond to this email. It is for informational purposes only. Click this link to review Request. https://mycusthelpadmin.com/ARLINGTONMA/Zadmin/ServiceRequests/Details.aspx?id=82971

Christine P. Deshler 65 Huntington Road Arlington, MA 02474

July 5, 2017

Arlington Town Tree Warden 51 Grove Street Arlington, MA 02476

RE: 40 Webcowet Road

Dear Tree Warden:

I write to object to the removal of the ash tree in front of 40 Webcowet Road, Arlington, Massachusetts.

The street tree is not only a healthy native tree, but is perhaps the most attractive tree in that neighborhood. There is no basis for permitting the removal of that public tree other than to help a private developer, who should not have assumed that the town would assent to the destruction of a street tree to assist him in his private business venture.

I again remind the town how much of the taxpayers' money is spent annually on buying and planting trees that will take years to reach the maturity of this tree, assuming they survive at all. To cut down healthy native street trees makes no fiscal sense.

Finally, on June 2, 2017, the Town Manager issued a statement on the Paris Accord. The Town Manager pronounced that "the Town's position remains the same in regard to its status as a Green Community and toward all the work that we do regarding energy efficiency, renewable energy generation and climate change adaptation. Past programs such as LED streetlights, fuel-efficient vehicles for Town use, and solar panels on schools, plus our participation in Arlington Community Choice Aggregation (CCA) continue [to] make Arlington a leader on the local level regarding all matters related to climate change and protecting the future of our planet". For the town to permit the removal of a healthy native tree, for private gain, raises a serious question as to the town's true commitment to confronting climate change. Indeed, it leaves one to wonder whether the Town Manager's statement was mere political posturing.

Sincerely,

Christine P. Deshler

69 Webcowet Road, Arlington, MA 02474 (781) 858-9674

July 7, 2017

Tree Warden Town of Arlington 51 Grove St. Arlington MA 02476

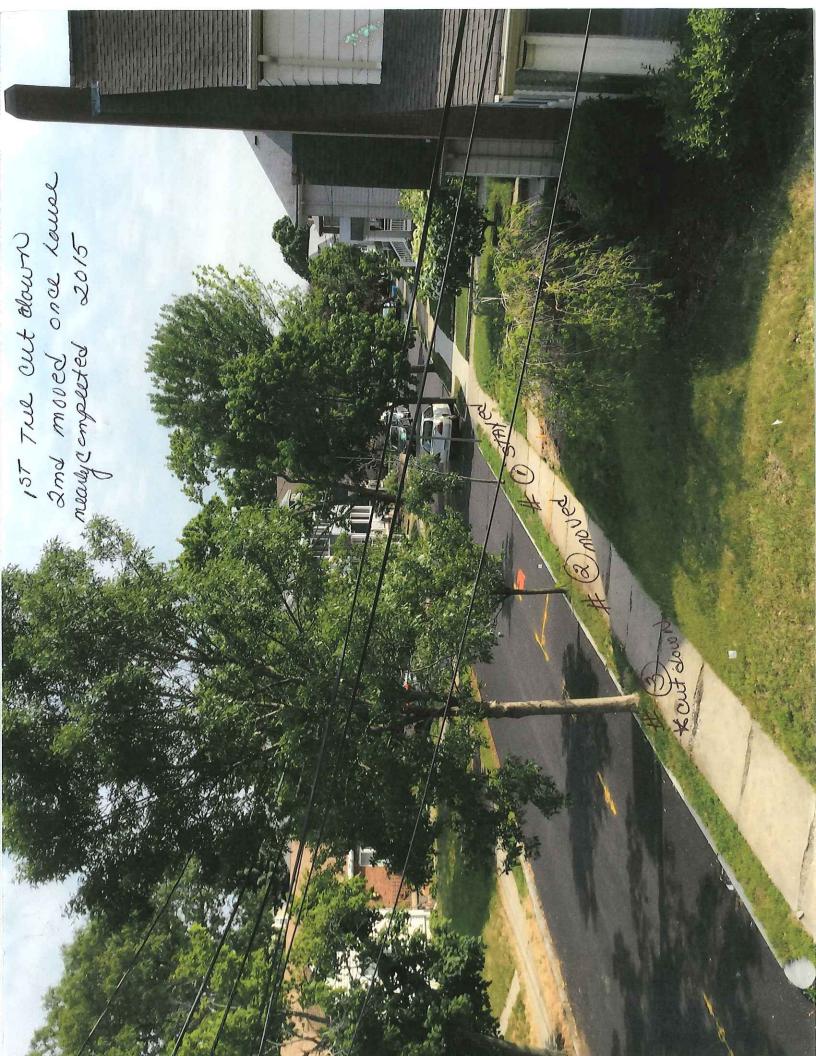
RE: Removal of ash tree in front of 40 Webcowet Road

We object to the removal of the tree in question. It is a beautiful specimen of a species that is struggling. Please do not allow the tree to be removed. Given the motivation for removal, please require that the builder scrupulously protect the tree so that no accidents befall it.

Thank you for your consideration.

Melissa H. Carr

Jessica L. Chloros



July ang 2015

W eboower KC \$18 + # 20





July > Oct/2015









Town of Arlington, Massachusetts

Mothers Out Front

Summary:

a. Vote: Support of Legislation Regarding Unaccounted for Gas (UFG) and Utility Customer Protection

b. Discussion: 'Pruning the Tree' by Audrey Schulman

Anne Wright

ATTACHMENTS:

Type File Name Description

■ Reference Material Mothers_Out_Front_Presentation.pdf Presentation Reference

OF MOTHERS OUT FRONT ARLINGTON TEAM RE: CONSUMER PROTECTION AGAINST PAYING FOR COST OF GAS LEAKS

September 11, 2017

Arlington Board of Selectmen

[TOWN] IN [BODY applicable: CITY COUNCIL, SELECTMEN ...]

Seal

RESOLUTION IN SUPPORT MASSACHUSETTS HOUSE BILL 2683/SENATE BILL 1845

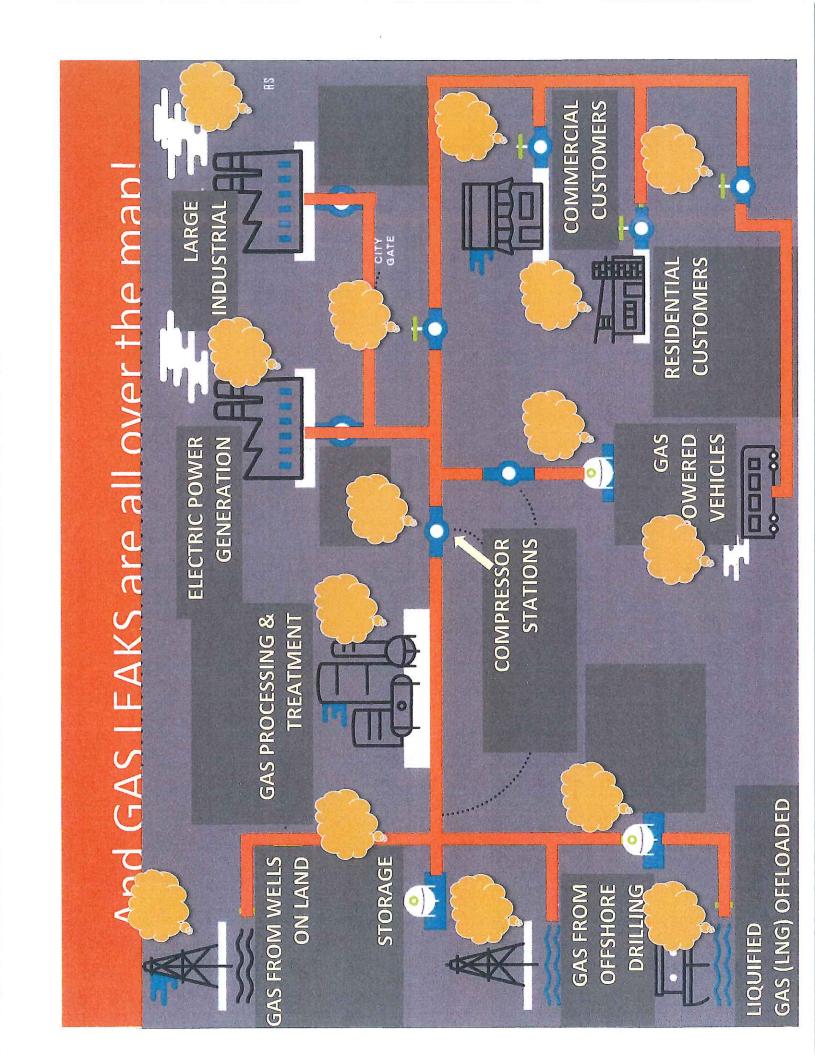
An Act Relative to Protecting Consumers of Gas and Electricity from paying for Leaked and Unaccounted for Gas

- WHEREAS: Massachusetts House Bill 2683/Senate Bill 1845 is an "An Act Relative to Protecting Consumers of Gas and Electricity from paying for Leaked and Unaccounted for Gas (UFG)" that seeks to protect all gas and electricity customers, whether businesses, manufacturers, homeowners and municipalities or other gas users, from paying for UFG by prohibiting providers from including the cost of UFG, as well as the costs of reducing or remedying loss, in the rate base; and
- WHEREAS: According to H. 2683/S.1845, "Unaccounted for gas or UFG is the difference between the total gas available from all sources that is acquired by a system type and the total gas accounted for as sales, net interchange or company use"; and
- WHEREAS: H.2683/S.1845 covers leakage or loss by leakage or loss due to discrepancies from measuring or monitoring inaccuracies, variations of temperature or pressure, or both, and other circumstances; and
- WHEREAS: H.2683/S.1845 will provide economic incentive to gas providers to develop improved technologies and practices for transportation, distribution and storage; and
- **WHEREAS:** The cost of UFG is typically passed on from providers of natural gas to users or consumers of gas; and
- **WHEREAS:** Leaking gas in the ground is harmful to vegetation and can kill valuable shade trees by depriving roots of oxygen; and
- **WHEREAS:** Methane is a precursor to ozone formation that can decrease lung function and aggravate asthma; and

THEREFORE BE IT

- **RESOLVED:** That the [BODY] strongly supports House Bill 2683/Senate Bill 1845 and urges the Massachusetts Legislature to take action to support this measure to protect consumers and the environment.
- **RESOLVED:** That the [BODY] forward an engrossed copy of this resolution to the elected [TOWN] delegation in the House and the Senate as well as House Speaker Robert A. DeLeo and Senate president Stanley C. Rosenberg and to the Governor on behalf of the [BODY].

Filed in [BODY]: [DATE]



GREATER BOSTON IS LEAKING GAS

Century-old gas pipes under the streets have corroded and leak.



Jute, the original pipe joint sealant, has long since fallen apart



regulators. 2.7% of the gas brought to Boston never makes it to A 2015 Harvard study found... Methane levels in the Boston urban area are 3x WORSE than previously estimated by customers.

Information from HEET, Clean Water Action, and Boston Climate Action Network

GAS LEAKS ARE PAID FOR BY YOU!

6 Gas Bill Residential Gas Service

Gas Bill Comparison

5	Current Month	Last Month	
Gas Charges	\$10.23	\$10.14	
Total Gas Use (therms)	2	2	
Delivery Charges (per therm) Cost to deliver gas to your home.	\$4.83	\$4.83	
Delivery Total	\$9.62	\$9.6\$	
Supply Charges (per therm) Cost to purchase gas on your behalf.	29.0¢	24.5¢	

- Harvard study, 2015

\$0.49

\$0.58

Supplier Total

Gas leaks cost Boston area ratepayers \$90 million per

Missing gas leaks raising questions



DAVID L. RYAN/GLOBE STAFF

National Grid employee Lane Guidry connected the chute to the gas pipe.

By David Abel | GLOBE STAFF JUNE 04, 2016

Thousands of natural gas leaks reported by the state's utility companies disappeared from the records they later submitted to the state, according to an independent analysis by a Cambridge group that says their study shows the leaks have likely not been repaired.

Nearly 5,700 potentially explosive, environmentally damaging leaks — nearly 30 percent of all leaks that went unrepaired in 2014 — vanished from the utilities'

to a study of data the companies disclosed in March, the most recent public information.

"This suggests that the utilities aren't doing a good job tracking leaks," said Audrey Schulman, president of the Home Energy Efficiency Team, or HEET, a Cambridge nonprofit that analyzed the data. "If they don't have them on their books, they're not monitoring them, and if they're left unmonitored, leaks get worse."

Utility companies are spending billions of dollars to replace leaky gas pipelines across the state, and repair leaks as quickly as possible, company officials say. The leaks, which are responsible for a significant portion of the state's greenhouse gases, are often caused by corroding cast-iron pipes or construction accidents.

The utilities cited various reasons for how leaks could have disappeared from their records without being repaired. Some leaks may no longer be emitting gas, while others may have migrated to punctures elsewhere in the pipes, they said. Some may have been temporarily plugged by snowbanks or concealed by weather that makes them hard to detect.

Graphic: Unrepaired natural gas leaks in Mass.

The state's utility companies reported nearly 20,000 unrepaired natural gas leaks in 2014.

National Grid, the region's largest provider of natural gas, reported 11,343 unrepaired leaks at the end of 2014 to the state Department of Public Utilities, but just 8,349 at the beginning of 2015.

It was unclear how 26 percent of unrepaired leaks could have disappeared overnight.

"It is important to note that leaks are not static and we do not monitor each leak

near the spot of a previously fixed leak, she said.

"Where gas readings are found may not necessarily be the exact site of the leak," she said.

In addition, some leaks could have been taken care of by replacing gas mains, and as a result were never marked as repaired. Others may have been duplicates. There could have also been "a clerical issue, in which missing or repaired leaks had not been removed from previous years," Williamson said.

Utilities are legally required to immediately repair leaks that pose a risk of explosion. A state law passed in 2014 requires utilities to repair minor leaks on streets that are under construction, near a school zone, or around trees that appear to be dying. The utilities used to allow those leaks to persist indefinitely because they didn't see them as imminent threats.

Under the 2014 law, utilities must disclose the location of every leak, the date they were reported, and when they were repaired. That provision allowed Schulman to map all the leaks in the state.

Schulman said she studied the locations of the unrepaired leaks and determined that three-quarters of them are almost certainly not duplicates, nor the result of repairs to larger mains.

Her group also conducted a random survey in eight municipalities from Boston to Acton of 55 unrepaired leaks that disappeared last year, and found that more than half were still active.

Profesional and Control of the contr

"Leaks don't self-heal or peter out," Schulman said. "They come from holes in ancient metal corroded pipes sitting for decades in damp soil. They are only going to get steadily worse over time."

Officials at Eyersource, which supplies gas to nearly 300,000 customers in Massachusetts, said they're fixing leaks nearly every day and are spending \$53 million this year to replace 35 miles of leak-prone gas mains. The company plans to accelerate repairs over the next few years.

Delays in the internal reporting of leaks may account for some of the discrepancy, the company said.

"This is a dynamic list that changes," said Mike Durand, a spokesman for Eversource. "We recheck Class 3 leaks [those considered unlikely to explode] every year. If we recheck it, and it's not there, it's off the list."

Sheila Doiron, a spokeswoman for Columbia Gas in Westborough, which provides gas to 310,000 customers in Massachusetts, attributed some of the missing leaks to changing weather conditions. Gas can be easier to detect on humid days, she noted, and harder when it's windy.

"Many of the very small, or nonhazardous leaks, can be faint, merely meeting the criteria," she said. "If we go back the following year, and that leak can no longer be detected through monitoring devices, then that leak doesn't exist anymore."

The discrepancy has made it difficult to determine how many leaks remain unrepaired. According to the utilities, the number of unrepaired leaks fell 19 percent from the end of 2014 to the end of 2015. But counting from the first day of 2015, the number of leaks rose by more than 21 percent.

"It makes me wonder if the infrastructure is just crumbling faster than they can repair it," Schulman said.

Nathan Phillips, a professor of environmental sciences at Boston University who has surveyed gas leaks around the state, said he finds the number of missing leaks disturbing.

"It illustrates how little we know about the number of leaks in the state, and how much of the gas is lost and unaccounted for," he said. "This discovery makes us less sure about how much progress we're making."

Unrepaired natural gas leaks across Massachusetts

The state's utility companies reported nearly 20,000 unrepaired natural gas leaks in 2014. Nearly 5,700 leaks disappeared from their books in 2015 without being repaired, according to an analysis of the most recent data that the companies have released.

Number of unrepaired natural gas leaks that disappeared

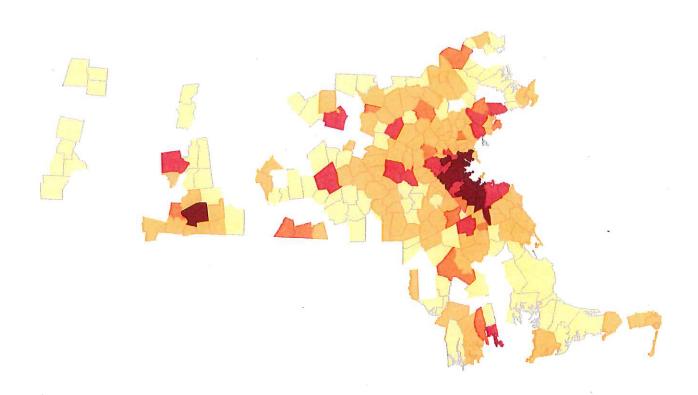
o to 5

6 to 29

30 to 49

50 to 99

100 to 400



SOURCE: HEET, a Cambridge group that advocates for energy efficiency

PATRICK GARVIN/GLOBE STAFF

David Abel can be reached at dabel@globe.com. Follow him on Twitter @davabel.

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SEEM III



Town of Arlington, Massachusetts

Discussion & Approval: Arts and Culture Action Plan

Summary:

Joseph A. Curro, Jr., Chair Jenny Raitt, Director of Planning and Community Development

ATTACHMENTS:

Type File Name Description

Document for Approval ArlingtonArtsandCultureActionPlan_WithAppendices.pdf Document for Approval



Arts&Culture Action Plan

Prepared for:

Town of Arlington
Department of Planning and Community Development
Arlington, Massachusetts
www.arlingtonma.gov



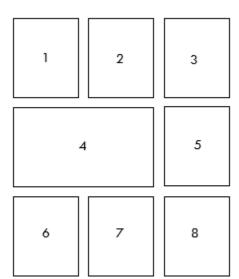
Prepared by:

Metropolitan Area Planning Council Boston, Massachusetts www.mapc.org



Cover Image Credits:

All photos are courtesy of Arlington Public Art, a committee of Vision 2020.



- 1. Chairful Where You Sit Event, 2012.
- 2. Elements: Art Rocks Spy Pond Event, 2015. "Spy Pond Characters" by Adria Arch.
- 3. Jefferson Cutter House.
- 4. Elements: Art Rocks Spy Pond Event, 2015.
- 5. Painted Transformer Box by Marek Jacisin, located at Broadway and Bates.
- 6. Arlington Storefront Stories Project, led by Cedric Douglas, Julia Roth and Nilou Moochhala.
- 7. Art Rocks Menotomy Event: "Super Scottie" by Shunsuke Yamaguchi.
- 8. Youth Art Banner Project, 2016.



Acknowledgements

The Arlington Arts & Culture Action Plan was made possible through the generosity and participation of over 1,000 people who live and work in Arlington. Individuals of all ages and walks of life contributed content to the planning process through participation in focus groups, attendance at public events, completion of an online survey, and the submittal of online comments.

This plan was funded through a range of technical assistance resources provided by the Metropolitan Area Planning Council. Funding sources include Planning for MetroFuture Technical Assistance (PMTA) and arts and cultural planning resources from the Barr Foundation. MAPC staff worked with the Department of Planning and Community Development, the Arlington Commission on Arts and Culture, and an ad-hoc Arlington Cultural Planning Working Group that included members from the Board of Selectmen, the Arlington Cultural Council, and Arlington-based arts and cultural businesses and nonprofit organizations.

Special thanks to the Working Group for guiding the development of the Action Plan from conception to completion and assisting with outreach and editing of the final document. Their energy and commitment were critical to the development of this plan.

Town of Arlington

- Adam Chapdelaine, Town Manager
- Jennifer Raitt, Director, Department of Planning and Community Development
- Ali Carter, Economic Development Coordinator, Department of Planning and Community Development

Arlington Cultural Planning Working Group Members

- Adria Arch, Co-Chair, Arlington Commission on Arts and Culture; Founder, Arlington Public Art
- Sarah Buyer, Director of Education & Programming, Arlington Center for the Arts
- Barbara Costa, Member, Arlington Commission on Arts and Culture
- Joe Curro, Chair, Arlington Board of Selectmen
- Carla Dorato, Owner, Artful Heart Gallery; Member, Arlington Commission on Arts and Culture; Member, Arlington Merchants Association
- Jonathan Hyde, Member, Arlington Commission on Arts and Culture
- Beth Locke, Executive Director, Arlington Chamber of Commerce
- Stephanie Marlin-Curiel, Co-Chair, Arlington Commission on Arts and Culture
- Andrea Nicolay, Director, Arlington Public Libraries
- Stephen Poltorzycki, Member, Arlington Commission on Arts and Culture
- Linda Shoemaker, Executive Director, Arlington Center for the Arts
- Leland Stein, Owner, The Regent Theatre; Member, Arlington Commission on Arts and Culture
- Aimee Taberner, Member, Arlington Commission on Arts and Culture; Co-Chair, Cyrus Dallin Art Museum Board of Trustees
- Lisbet Taylor, Chair, Arlington Cultural Council
- Jeff Timperi, Member, Arlington Cultural Council



MAPC Project Team

- Jennifer Erickson, Manager of Arts and Culture
- Annis Sengupta, Regional Arts and Culture Planner
- Carolina Prieto, Community Engagement Specialist
- Emily Torres-Cullinane, Community Engagement Manager
- Alicia Rouault, Digital Services Manager
- Manisha Bewtra, Analytical Services Manager
- Ryan Melendex, Data Services Intern



OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE

TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

July 11, 2017

To Whom It May Concern:

You have before you the culmination of months of conversations and outreach that included the feedback of hundreds of Arlington residents, artists, business owners, and other interested individuals. Through surveys, small group discussions, and large interactive sessions filling the Town Hall auditorium, countless people were exceedingly generous with their participation, ideas, and creativity.

Special thanks goes to: our professional staff, particularly in the Department of Planning and Community Development; the members of the Arlington Commission on Arts and Culture; our partners at the Metropolitan Area Planning Council; and the many volunteers, who sacrificed a great amount of time to produce the plan that you are about to read.

Arlington has seen an explosion in artistic and cultural activity. We are enriched by: our popular public art initiatives and festivals; our award-winning student performers and artists; our many businesses engaged directly or in support of the creative economy; our treasured historical assets and cultural institutions; our panoply of library programming and offerings; and our large contingent of working artists who call Arlington home. We are graced with independent theaters, a flourishing arts center, first-class dining, museums, and galleries. We eagerly anticipate formal recognition by the Massachusetts Cultural Council of part of the Mass. Ave. corridor as an officially designated Massachusett Cultural District, and we celebrate the dynamism and energy that we see throughout our town.

Our community has a strong foundation upon which to build further vibrancy and to support a valuable legacy. The plan before you contains specific recommendations around how to reinforce that foundation and to harness and grow our cultural wealth for generations to come.

Sincerely,

JOSEPH A. CURRO, JR., Chair Arlington Board of Selectmen



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Executive Summary

Overview

Arlington is a suburban hub of arts and culture with Revolutionary roots. Cultural shifts over the centuries, including immigration and historical events, have dynamically shaped its identity. Its Revolutionary War era history combined with its network of parks and open spaces link Arlington's heritage to that of its neighboring towns. Cultural resources like the Minuteman Commuter Bikeway Rail Trail, the Old Schwamb Mill, and the Cyrus Dallin Art Museum are prominent assets that reflect Arlington's arts and cultural heritage and history. Arlington benefits from a concentration of locally-owned arts and cultural businesses and organizations throughout town. Volunteers and paid staff support the town's curated public art; public libraries; theaters for film and live drama; art and historical museums; artisan shops and galleries; makerspaces and artist studios; local restaurants; and organizations bringing visual and performing arts that attract audiences from the metropolitan Boston region and beyond. Over the years, five public entities have emerged that contribute to the growth of arts and culture including the Arlington Cultural Council, the Arlington Commission on Art and Culture and Arlington Public Art. In addition, privately operated businesses and non-profits anchor the growing interest in and support for the arts including the Arlington Center for the Arts and the town's two theaters, among others. Partnerships among these public and private entities have been and will continue to be vital to enhancing arts and culture in Arlington.

The town of Arlington embraces the importance of artists, cultural expression, arts-related businesses and cultural institutions to the town's vitality. In recognition of arts and culture's importance to Arlington's identity, the town has articulated the following vision and principles:

Arlington Arts and Cultural Vision

The Town of Arlington envisions itself as a place where arts and culture thrive and become integrated into the daily life and identity of the town. Through public and private partnerships, the town is committed to expanding access to the arts and appreciation for diverse cultures; to increasing opportunities for creative engagement and expression; and to supporting the growth of creative enterprises to benefit Arlington's residents, workers and visitors from all walks of life.

Core principles for implementing the vision include:

- **Inclusion:** Advancing social equity and social cohesion through supporting arts and cultural experiences that reflect Arlington's changing community character and cultural diversity.
- **Innovation:** Stimulating innovative thinking, approaches, and solutions to challenging civic issues and improving civic infrastructure design by fostering collaborations with the arts and cultural sector.
- Accountability: Developing strong systems of accountability and fostering a culture of collaboration
 among the arts and cultural sector and other sectors to steward sustainable plan implementation.



Commitment: Maintaining a core belief in arts and cultural opportunities and experiences as essential to
the civic vitality and livability of Arlington and engaging partners in maintaining a commitment to plan
implementation.

The Arlington Arts and Culture Action Plan aims to strengthen and grow arts and cultural opportunities in Arlington, leading to a thriving arts and cultural life for all. Implementation of this plan will advance the historic and cultural resource area goals outlined in the Arlington Master Plan as well as the creative implementation of other civic priorities. It will also bolster management, coordination, and programming of the proposed Arlington Cultural District from East Arlington to Arlington Center.

Public Process

To develop this action plan, DPCD and ACAC engaged the professional services of the Metropolitan Area Planning Council (MAPC) to lead the cultural planning process in consultation with an ad hoc Arlington Cultural Planning Working Group. The Working Group was composed of representatives from various boards, committees, commissions, and organizations in Arlington including ACAC, Arlington Public Art, the Arlington Cultural Council, the Board of Selectmen, and Arlington Center for the Arts. MAPC has worked closely with the Working Group to conduct extensive research and community engagement to assess the following:

- 1. the nature and quality of Arlington's existing arts and cultural assets,
- 2. the challenges facing Arlington's arts and cultural sector (which includes individual artists, businesses, organizations, and others), and
- 3. the opportunities that exist for strengthening Arlington's arts and cultural life.

The draft action plan goals and strategies outlined in this document were developed using public feedback provided by over 900 Arlington residents and workers collected in three ways: a town-wide online survey, eight focus groups, and two public events held on March 1, 2017, and June 6, 2017.

Action Plan Goals

An overview and description of the six action plan goals is provided below. The categories of action aim to strengthen the arts and cultural sector, strengthen infrastructure for arts and culture and expand fair access to opportunities for creative engagement and expression. The Action Plan Matrix in the last section of this plan outlines implementation strategies and partners that are needed to advance each goal.

GOAL #1: STRENGTHEN ARLINGTON'S INFRASTRUCTURE FOR ARTS AND CULTURE

A thriving arts and cultural life is important to Arlington's character, identity, and civic life. The Town of Arlington will investigate and recommend public and private funding mechanisms and a staffing capacity and structure in order to steward the plan's implementation.

GOAL #2: IMPROVE POLICY CONDITIONS AND ADMINISTRATIVE PROCEDURES TO HELP THE ARTS AND CULTURAL SECTOR THRIVE

A vibrant creative sector is an important element of the town's community and economic development vision. The Town of Arlington will improve zoning policy and administrative procedures to remove barriers that may limit or prohibit the inclusion of temporary or permanent arts and cultural uses in Arlington in suitable locations.



GOAL #3: PURSUE INTERDISCIPLINARY PLANNING INITIATIVES THAT ENGAGE ARTS, CULTURE, AND CREATIVITY AS VITAL TO IMPLEMENTING THE MASTER PLAN VISION

Arts and culture is essential to fostering a vibrant and livable Arlington. The Town of Arlington will undertake planning initiatives that engage arts and culture as essential elements in realizing the Arlington Master Plan's vision of a healthy and thriving Arlington. Activities will include documenting arts and cultural assets, integrating arts and culture into planning processes and planned public infrastructure improvements, and engaging public art practices as a means for creative and inclusive placemaking.

GOAL #4: EXPAND PUBLIC ACCESS TO OPPORTUNITIES FOR CREATIVE DEVELOPMENT, PARTICIPATION, AND EXPRESSION

A vibrant cultural life in Arlington includes fair access to opportunities for creative/artistic development and exposure to and participation in diverse artistic and cultural experiences. The Town of Arlington will foster collaborations among local and regional public, private, and nonprofit arts and cultural organizations, institutions, businesses, and others in order to improve the programmatic diversity of artistic and cultural offerings in Arlington.

GOAL #5: STRENGTHEN THE ORGANIZATIONAL INFRASTRUCTURE OF ARLINGTON ARTS AND CULTURAL INSTITUTIONS

The viability and sustainability of anchor arts institutions in Arlington is important to improving the quality of artistic and cultural opportunities available to artists and non-artists alike. The Town of Arlington will identify opportunities to strengthen communication and strategic collaborations among organizations in ways that maximize resources and improve quality of programming and services for the arts community and for the general public.

GOAL #6: ELEVATE THE SOCIAL INFRASTRUCTURE AND CONNECTIVITY OF ARLINGTON'S ARTISTS AND CREATIVE PROFESSIONALS

Arlington is home to established professional artists and emerging artists at various stages of personal and professional artistic development. The Town of Arlington will facilitate communication and networking among Arlington artists in collaboration with arts and cultural institutions in order to share information pertaining to services and programming geared towards the creative community and to facilitate creative collaborations and cross-pollination of artistic ideas.

Next Steps

This action plan also includes an assessment of Arlington's arts and cultural assets and needs and a robust implementation strategy that outlines implementation goals, strategies, and partners. Additional planning and policy work is needed to fully implement this vision and action plan. The Town of Arlington is committed to stewarding this vision and entering into partnerships with private individuals and organizations as appropriate in order to implement the plan's strategies over the next 6-8 years. Together with nonprofit and private sector partners and active citizenry, the Town looks forward to helping arts and cultural life in Arlington flourish in the years to come.



Introduction

Arts, culture, and history are deeply intertwined in Arlington. The historic Old Schwamb Mill preserves colonial frame fabrication techniques inside a 19th century mill building, and the largess of the Robbins Family over a century ago secured some of the town's most prominent historic and cultural assets. The Robbins family donated the funds to construct the Robbins Library (completed in 1892) as well as the Robbins Memorial Town Hall (completed in 1913). The family commissioned the Olmsted Brothers' design of the Winfield-Robbins Memorial Garden, as well as the Menotomy Hunter statue scuplted by Cyrus E. Dallin.

Cyrus E. Dallin, a contemporary and friend of John Singer Sargent, remains the town's most prominent artist, and many of his works are preserved and displayed in the Cyrus E. Dallin Art Museum, located in the historic Jefferson Cutter House. Born in Utah, Dallin resided in Arlington with his wife, writer and pageant organizer Vittoria Colonna Dallin, from 1900 until his death in 1944, and he sculpted many iconic American statues including the Paul Revere statue in Boston's North End, and the statue of Sir Isaac Newton in the U.S. Library of Congress. Many of his works depict and celebrate Native Americans, reflecting his opposition to ongoing settlement of native lands on the frontier where he spent his youth. "Appeal to the Great Spirit," the last statue in his four part series, The Epic of the Indian, is displayed outside the main entrance to the Museum of Fine Arts in Boston, MA. This rich historic landscape today provides a scaffold for growing arts and cultural activity in Arlington.

Arlington today is valued for its access to urban amenities, its wealth of natural resources, and its active and accessible civic life. Nestled among the cities of Cambridge and Somerville and the lower density suburbs of Lexington and Winchester, it is home to an increasingly diverse population with multiple languages spoken and strong public schools. It has established itself as a green community at least in part because of its walkable access to neighborhood commercial centers, public transportation and the Minuteman Commuter Bikeway. Its highly active citizenry contribute their energy to continually improving the town, and it has developed a strong creative community of artists and businesses with a robust public art program.

Impetus for Cultural Planning

Recognizing the importance of arts, culture, and creativity to Arlington's vibrancy, Town Manager Adam Chapdelaine appointed commissioners to the Arlington Commission on Arts and Culture (ACAC), formerly the Arlington Cultural Commission, in 2013. In summer of 2016, town staff and community leaders from the Arlington Department of Planning and Community Development (DPCD) and the Arlington Commission on Arts and Culture (ACAC) joined forces to initiate the Arlington Arts and Culture Action Plan.

The cultural planning process emerged from momentum generated by various residents and active citizenry in Arlington over the last decade. In June 2012, the Arlington Cultural Council in partnership with the Arlington Center for the Arts, the newly formed Arlington Public Art, Arlington Tourism and Economic Development Committee and Sustainable Arlington held a town-wide meeting with the goal to "foster collaborative opportunities between the town, businesses, non-profits, artists and residents that capitalize on arts and culture for the benefit of our community and local economy." Eighty-five people attended including Town Meeting members, businesses, restaurant owners, non-profit organizations, local artists and residents. The meeting included presentations from the Executive Director of the Arlington Center for the Arts, John Budzyna; Town Manager, Adam Chapdelaine; Program Manager of the Massachusetts Cultural Council's Cultural Districts Initiative, Meri Jenkins and Manager of the Capitol Square Merchants Association, Jan Whitted. The meeting resulted in three top priorities: 1) A centralized arts and culture website and brand, 2) a signature event; 3) A leadership body to coordinate and implement arts and culture initiatives. After Town Meeting's approval of an arts and culture commission, Town



Manager Chapdelaine and the Board of Selectmen charged the Arlington Commission on Arts and Culture with several responsibilities, including leading the initiative to develop a town-wide cultural plan.

What is Cultural Planning?

Cultural planning is a place-based planning process focused on strengthening and growing arts and cultural assets in ways that enhance civic and economic vitality and livability. Arts and cultural assets include people, places, and activities. Examples include: arts and cultural businesses providing arts and cultural services and supplies; organizations and institutions providing arts and cultural programming; temporary and permanent public art and cultural activities; markets; festivals; galleries and museums; cultural and historic buildings and sites; artist workspaces; arts manufacturing spaces; and more.

Cultural planning creates an opportunity for residents, workers, and visitors to reflect on the conditions that shape arts and culture in a defined geographic place and to think strategically about the policy and programmatic supports that are necessary to foster conditions that can help arts and culture grow and thrive. Individuals, businesses, and organizations located in the private, nonprofit, and public sectors that are producers, makers, and service providers of arts and cultural goods, resources, and experiences are generally referred to as the "creative sector" or the "arts and cultural sector." The contributions of these individual and organizational actors combined with the participation of the general public generate arts and cultural activities and interactions that dynamically shape the cultures of places. Cultural planning engages these diverse segments of the community to plan holistically for ways in which public and private partners can work together to nurture a vibrant arts and cultural life.

A Vision for Arts and Culture in Arlington

This Arts and Culture Action Plan builds on the foundations established by Arlington's arts community and active citizenry. It advances the master plan goals for historic and cultural resource areas by identifying strategies that advance the following goals: to maintain, protect, preserve, and promote historic and diverse cultural resources; to provide attractive and well-maintained spaces for residents to meet, play and grow; and to provide space for arts and cultural activities for all ages.

Vision:

The Town of Arlington envisions itself as a place where arts and culture thrive and become integrated into the daily life and identity of the town. Through public and private partnerships, the town is committed to expanding access to the arts and appreciation for diverse cultures; to increasing opportunities for creative engagement and expression; and to supporting the growth of creative enterprises to benefit Arlington's residents, workers and visitors from all walks of life.

Implementation of this plan will advance the historic and cultural resource area goals outlined in the Arlington Master Plan as well as the creative implementation of other civic priorities. It will also bolster management, coordination, and programming of the proposed Arlington Cultural District from East Arlington to Arlington Center.



Community Engagement



Community Engagement Approach

Development of this plan was grounded in an extensive community engagement process that collected feedback from artists, business owners, creative workers, and the general public. A detailed overview of this process is included in Appendix A. The community engagement strategy provided multiple avenues for in-person and online engagement and involved four elements of work: focus groups with segments of the arts and cultural community; a town-wide arts and cultural assets and needs survey; two town-wide events to include members of the community in



the planning process; and communications and publicity work that generated press releases, flyers, and postcards promoting engagement opportunities.

The DPCD, MAPC, and the Arlington Arts & Culture Working Group worked together to implement the community engagement strategy. ACAC members provided significant in-kind assistance through facilitation and notetaking during focus groups and public events as well as communications and publicity. Through this strategy, the planning effort engaged over 1,000 Arlington residents and workers.

Cultural Planning Working Group

The Cultural Planning Working Group was the driving force for all of the community engagement efforts that engaged residents and stakeholders at a local level. The Working Group convened ten times through inperson meetings and conference calls over the course of the project as advisors on the overall direction of the cultural planning process, to plan and prepare for public engagement, and to develop and refine plan recommendations.



Survey

The online survey was developed in conjunction with the Working Group. A total of 946 survey responses were collected between November 2016 and February 2016. The survey contained 38 questions focused on identifying cultural assets in the town, finding out where artists create and work, and soliciting recommendations about art and culture. Participant highlights:

Arlington residents accounted for over 97% of respondents.

Arlington's business community was represented by 11% of respondents.

27% of respondents work in Arlington and 5.5% attend school there.

Focus Groups

Focus groups were a key component of our community engagement strategy and instrumental to informing the policy recommendations in this plan. In the span of three months we gathered feedback and suggestions from over 60 stakeholders during the 8 focus groups. These focus groups gave individuals representing different parts of the community the opportunity to map Arlington's cultural assets and discuss their experiences with and assessment of arts and culture in Arlington. Participants included youth, representatives of the business community, leaders and members of arts and cultural organizations, and active citizens. Representatives from the creative community included those who practiced improvisational theater, landscape architecture, mixed media, film, creative writing, performing arts, music, horticulture, as well as board members and directors of museums and arts organizations.

Community Meetings and Events

MAPC partnered with DPCD and the Working Group to launch the cultural planning process at Arlington Town Day on September 17, 2016 and to hold two town-wide events on March 1, 2017 and June 6, 2017.



Arts and Cultural Assets and Needs

Background

Arlington's rich history is enlivened by a robust arts and culture scene powered by a constellation of arts and culture organizations, many talented artists and engaged arts-and-culture enthusiasts who live and work in town. Assets include the town's historic theaters; its vibrant public art; fairs and festivals; and its historic buildings, sculptures, and museums. In addition, residents identified a wide variety of organizations, resources, and enterprises that contribute to the arts and culture ecosystem in Arlington.

The data informing this analysis of assets and needs were collected through the town-wide survey and through focus groups described in the Community Engagement chapter. Together, these efforts paint a picture of a town that

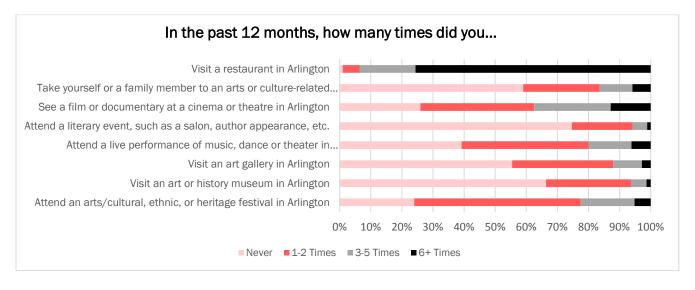
- values its historic heritage and is enthusiastic about its growing arts and culture activities,
- is home to artists and creative professionals engaged in a wide variety of creative activities with over 44% of artist respondents reporting that they generate income from their work, and
- is eager for a more strategic approach to supporting artists and increasing arts and cultural opportunities.

Survey Highlights

Arlington's Arts and Cultural Activity

Arlington residents are active participants in the arts and cultural life of the community and want to see it grow. Restaurants, bars, movie theaters, and events draw the most engagement. A majority of respondents participated in arts and culture in Arlington through **visiting restaurants**, seeing films, attending festivals, or attending a live performance of music, dance or theater at least once in the last 12 months.

Figure 1. Frequency of participation in arts and cultural activities in Arlington in the last year





Arlington residents are eager to see more arts and cultural activities in their town. More than 75% of respondents identified the following arts and cultural assets and resources as important, very important or extremely important to see more of in Arlington:

Figure 2. Arts and cultural assets and resources considered important – extremely important to have more of in Arlington by at least 75% of survey respondents

Arts and Cultural Asset or Resource	% identifying asset as important
Live Music or Dance Performances in private and public/open spaces	85%
Public Art (permanent and temporary art installations)	84%
Arts or Cultural Festivals in private and public/open spaces	83%
Cinema or Live Theater Spaces	81%
Arts or Cultural Businesses (individual artists, specialty shops, specialty restaurants)	79%
Art or Cultural Programs/Classes - Various Artistic Disciplines	79%
Arts or Cultural Markets in private and public/open spaces	75%

(Total # of respondents: 734)

Survey respondents are most interested in having more

- performing arts (including live music and dance performances, cinemas and live theater)
- public art and
- arts or cultural festivals.

These arts and cultural preferences complement Arlington's existing creative activities. The creative activities in which survey respondents are most engaged in amateur or professional capacity include

- photography,
- creative writing,
- composing or performing music, and
- textile crafts.

Figure 3. How active are you, personally, in each of the following creative activities?

Creative Activity	# reporting they are active, mostly active or very active	% reporting they are active, mostly active, or very active
Photography	214	27%
Writing	184	23%
Composing or performing music	160	20%
Textile crafts like sewing, knitting, or quilting	154	19%
Painting or drawing	139	17%
Live theater	118	15%
Crafts like pottery, jewelry, or working with wood, glass, or metal	108	14%
Film and video	78	10%
Dancing	69	9%
Comedy/improv	33	4%
	/T	tal # of roomandants: 920)

(Total # of respondents: 820)



Arlington's Artists

The survey received a robust response from individuals who identify as artists, craftspeople, or creative workers, with 59% of survey takers (470 individuals) identifying as such. In addition, 44% of these individuals (206 total) are earning some portion of their income from their art or creative endeavors.



The survey paints a picture of a creative community whose work is largely contained within the town's housing stock.

72% of respondents identified a home in Arlington (their home or someone else's) as the geographic location in which they primarily create, develop, and/or engage in their creative work.



The existing facilities for art-making are meeting the needs of many of the survey respondents. Nearly 80% of respondents have not felt barriers to engaging in creative activities, and more than 85% experienced no barriers to making, marketing or displaying their work due to lack of space or an inability to find the right instructional program. This still leaves 1 in 5 artists without adequate space for their needs.

Photographers, craftspeople, and performing artists need access to more spaces and more affordable spaces for their work. In just the last year,

21% of survey respondents (143 individuals) found their work delayed or stopped due to these barriers. Barriers to creative work primarily affected:

Performing artists, who lack access to:

- affordable rehearsal space
- affordable performance space and
- appropriate spaces to hold classes, and

Artists and craftspeople who require specialized spaces and equipment, such as

- Photography studios and darkrooms,
- Woodworking, metalworking and ceramic workshops, and
- Sewing and quilting studios.

49% of survey respondents who indicated that they lack space (67 individuals), identified a need for specialized work space (dark rooms, workshops, space for sewing) or space suitable for the performing arts.

Housing policy is an important tool for meeting artists needs. For many artists, affordable housing and affordable work space are interchangeable. As Arlington implements recommendations from its 2016 Housing Production Plan, it ought to engage the arts community to establish housing policies that increase affordability while also meeting artists space needs. The recommendation to allow residential development in light industrial districts (Regulatory Strategy 5) aligns with artists' need for larger affordable spaces and increased access to specialized work spaces and equipment.



Arts and Cultural Asset Mapping

The cultural asset and needs data captured in this report were collected by MAPC, DPCD, and ACAC. The bulk of the data included here are specific to the portion of Arlington that was proposed for Cultural District designation in spring 2016 and includes both cultural assets and historic structures that contribute to Arlington's arts and cultural identity. To build on this existing data, MAPC requested that respondents to the Arlington Arts and Culture Assets and Needs Survey and participants in focus groups identify and describe additional assets missing from the original dataset. MAPC then integrated the new data into the database and developed the maps shown in this chapter. Survey respondents and focus group participants also provided information about needed policies, resources, infrastructure and services to strengthen their own artistic production or strengthen the arts and culture activity in Arlington more generally. These needs highlight areas of opportunity that structure the recommendations in this action plan.

Arts and Cultural Asset Categories

Arts and Cultural Organizations and Businesses (44 assets) Non-profit cultural organizations, associations and fraternal societies, non-profit arts organizations, and creative enterprises including businesses that provide opportunities to learn creative activities such as music, dance, foreign languages, and crafts.

Eating and Drinking Places

(39 assets) Restaurants and bars that offer diverse cultural cuisine, host or sponsor arts and culture activities and events, or function as cultural gathering places.

Public Art or Arts & Cultural Events

(32 assets) Temporary and permanent public art and recurring arts and cultural events in town.

Public Facilities and Open Space

(23 assets) Public buildings and open spaces that contribute to the art and cultural life of Arlington.

Historic Landmarks and Attractions

(14 assets) Historic assets identified as contributing directly to the arts and cultural experience and identity of Arlington.

Religious Institutions

(9 assets) Historic churches and religious institutions in town that provide space for arts and cultural organizations and activities within their facilities.

Arts Exhibition Spaces

(7 assets) Businesses and organizations that provide space for artists to exhibit their work, including galleries and theaters.

Artist Work Spaces

(2 assets) Enterprises that primarily provide artists with studio space. Both assets identified focus on music production and recording. In addition, the Arlington Center for the Arts provides studio space for 16 artists who practice a variety of visual and performing arts.

These assets are deeply loved and valued by the Arlington community. From landmarks that celebrate the town's role in the nation's early history to contemporary public art and events that bring residents together to mingle in parks and public spaces, to the restaurants and theaters that draw residents and visitors toward the town's creative businesses and organizations throughout the year, these assets work together to enrich the lives of Arlington's residents and create meaningful places for residents to connect with their community.



Figure 4. Arlington Arts and Cultural Asset Summary Table

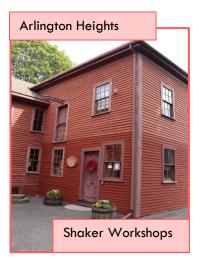
Arts and Cultural Asset Category	Number of Assets	Percent of Total
Arts and Cultural Organizations and Businesses	44	26%
Eating and Drinking Places	39	23%
Public Art or Event	33	19%
Public Facilities and Open Space	23	13%
Historic Landmarks and Attractions	14	8.2%
Religious Institutions	9	5.3%
Arts Exhibition Spaces	7	4.1%
Artist Work Spaces	2	1.2%

Cultural Asset Maps

The initial planning effort for the Arlington Cultural District provided a base for the asset mapping presented below. After reviewing the assets identified within the cultural district, residents identified additional assets within or beyond the cultural district boundaries. In combination, these maps identify a total of 171 assets that contribute to arts and culture across Arlington. A complete list of assets is included in Appendix F. A majority of these assets fall within the cultural district boundaries, which spans Arlington Center and part of East Arlington. An additional cluster of assets is located in and around Arlington Heights.

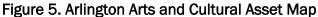


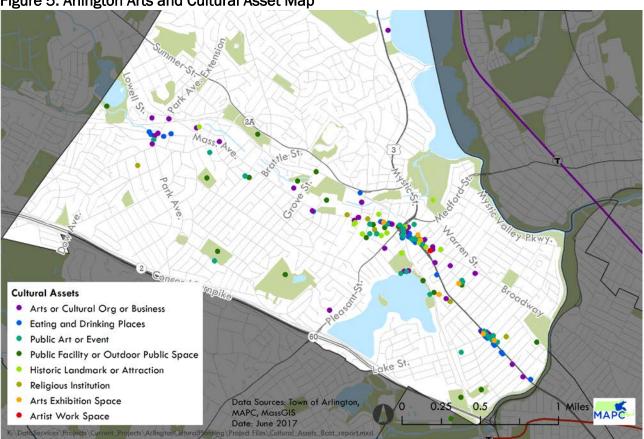




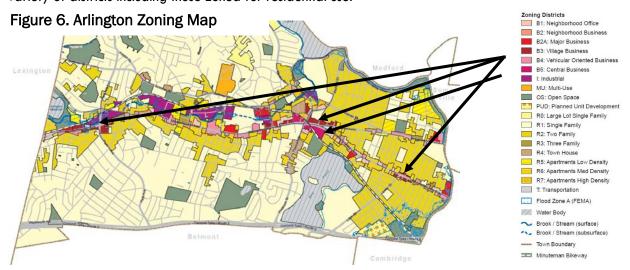


Locations of Arlington's arts and cultural assets





Arlington's arts and cultural assets are clustered around Arlington's centers of neighborhood commercial activity and in the areas in the Village Business or Central Business zoning districts, although they can be found in a wide variety of districts including those zoned for residential use.



Arlington Arts&Culture

Action Plan

This clustering results in distinctive arts and cultural identities developing in three different Arlington neighborhoods: Arlington Center, East Arlington, and Arlington Heights. Using neighborhood boundaries roughly aligned with the study areas used in the town's parking studies, the table below shows the distribution of assets among the three areas. Arlington Center is by far the largest cluster of assets with a mix of arts and cultural organizations and businesses, public art and events, eating and drinking places, and historic landmarks and attractions. In addition, the Arlington Center neighborhood features the largest collection of public facilities and open space of the three neighborhoods. The East Arlington cluster is anchored by the Capitol Theatre and it features an impressive array of eating and drinking options as well as a notable concentration of public art and events as well as arts-related businesses. Arlington Heights features a much smaller collection of arts and cultural assets, and its arts and cultural organizations outnumber the next most numerous asset category almost 2:1. This cluster is notable for the Old Schwamb Mill which combines historic preservation with creative enterprise through the fabrication of museum-quality frames. The three churches in Arlington Heights also contribute to the arts and cultural activities of the neighborhood.

Figure 7. Number of assets and % of total assets in each Arlington neighborhood cluster

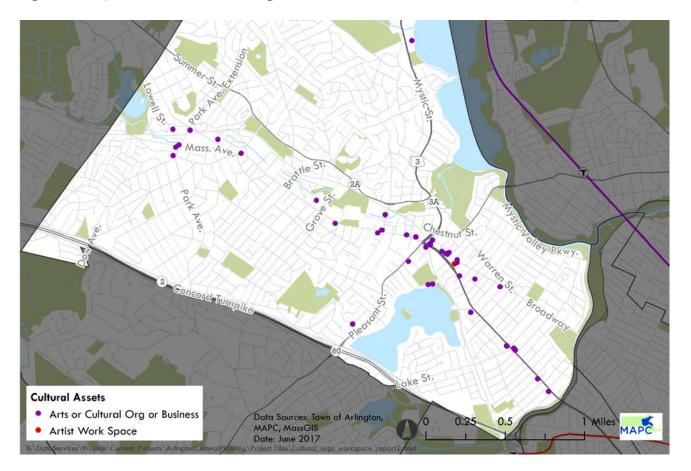
Neighborhood	Boundaries	Number of Assets	Percent of Total
Arlington Center	Spy Pond to Russell Street, Bartlett Avenue to Pond Lane	74	43%
East Arlington	Brooks Avenue to Waldo Road, Oxford Road to Boulevard Road	40	23%
Arlington Heights	Lowell Street to Dundee Road; Lowell Street to Appleton Street	14	8.2%





Where do artists, creatives, and cultural producers in Arlington work and teach, and connect with their community?

Figure 8. Map of Arts and Cultural Organizations and Businesses and Artist Work Spaces

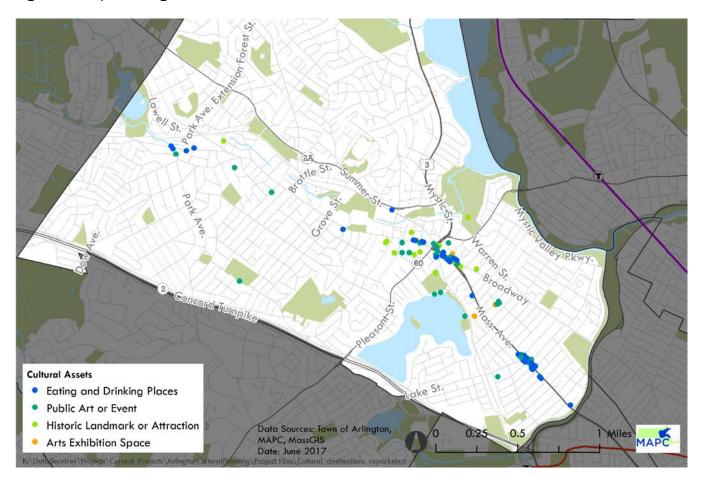


Arts and cultural organizations or businesses encompass a range of activities including cultural centers, youth centers, creative businesses, art and craft supply stores, and gift shops. These assets provide locations for artists to perform and showcase their talents, sell their work and, perhaps most importantly, to teach. 43% of assets in this category provide learning spaces as either their central purpose or as an ancillary use. These organizations and businesses help to anchor clusters of arts and cultural activity and benefit from the foot traffic generated by those clusters of activity.



Where are Arlington's arts and cultural destinations? Where can visitors go to eat or drink as they visit these destinations?

Figure 9. Map of Arlington's Arts and Cultural Destinations



This map highlights East Arlington's convergence of art, events and restaurants, creating a vibrant destination. In Arlington Center, the larger number of art, events and landmarks is distributed over a wider area while restaurants cluster along the commercial corridors of Massachusetts Avenue and Broadway. West of Mill Street and into Arlington Heights, public art and events, historic landmarks and attractions, and eating and drinking places are even more scattered.



Where are the indoor and outdoor facilities that can support arts and culture activities and events?

Figure 10. Map of Indoor and Outdoor Facilities that Support Arts and Culture

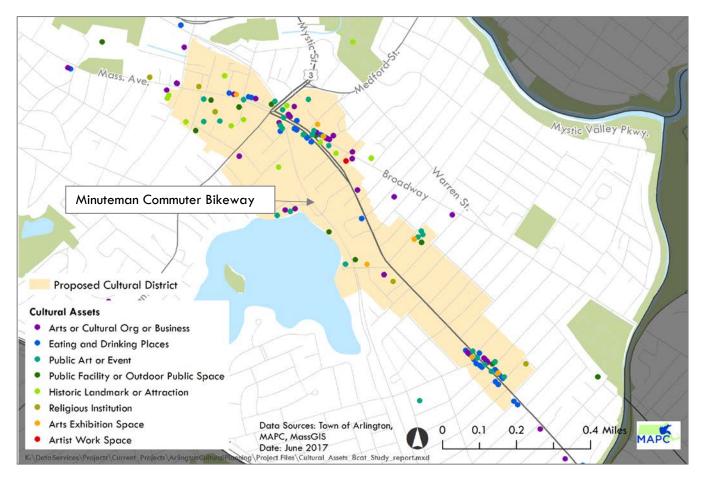


Enclosed public facilities and open spaces provide an important platform for arts and cultural events and activities. The cluster of public facilities between Mill Street and Pleasant Street, including the Arlington Center for the Arts, provides space for public art and events. Similarly, Spy Pond and the Calvary United Methodist Church support a variety of arts and cultural events and activities around the eastern edge of the Arlington Center cluster.



Where are assets located within the cultural district?

Figure 11. Location of arts and cultural assets within the proposed Cultural District boundaries

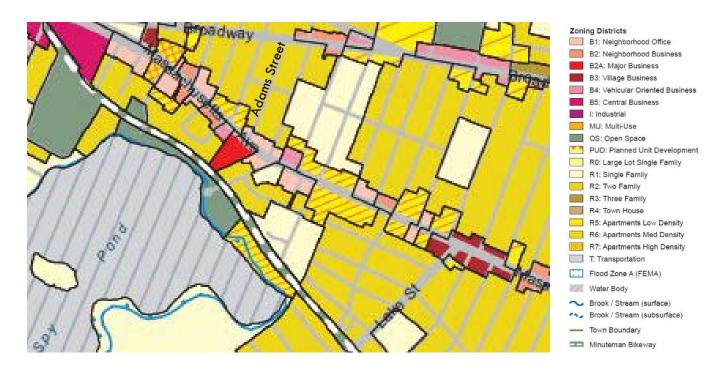


The proposed cultural district boundaries encompasses both the Arlington Center cluster of assets and the East Arlington asset cluster. Two gaps in assets will need to be addressed in developing a coherent identity for the cultural district. The gap between the assets near the intersection of Massachusetts Avenue, Broadway, and Mystic Street and those assets clustered around the edge of Spy Pond (including the pond itself, the Play Fair Arch at the Spy Pond Field, Arlington Elks Club, which hosts a Vodka and Verse event, the Arlington Boys and Girls Club, True Story Theater, the Calvary Church, and the Arlington Ballet Academy, could be bridged through targeted public art and creative wayfinding along the Minuteman Commuter Bikeway, which links the Spy Pond open space to the Mystic Street asset cluster. The gap between the East Arlington neighborhood asset cluster and the Arlington Center cluster may be more challenging to overcome.

The gap in retail and commercial activity on Massachusetts Avenue between Adams Street and Lake Street is reinforced in the town's zoning code, which designates most of that stretch of Massachusetts Avenue as a Medium Density Apartments district interspersed with Neighborhood Office districts. The zoning bylaw explicitly notes the intention of its Neighborhood Office district "to encourage preservation of small-scale structures to provide contrast and set off the higher density, more active areas along the Avenue." [ART. 6, ATM 4/16] Because "uses which would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged," [ART. 6, ATM 4/16], the cultural district may need to use placemaking strategies to establish a vibrant pedestrian connection between East Arlington and Arlington Center.



Figure 12. Zoning districts between arts and cultural asset clusters within Cultural District



Most Valued Arts and Cultural Assets

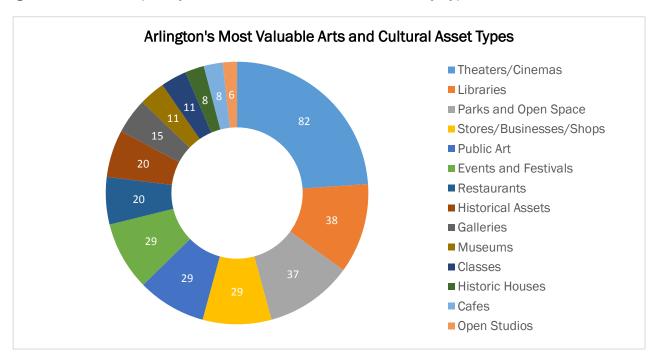
Survey respondents were asked to identify the arts and cultural assets that they value most in Arlington. More than 20% of survey takers contributed a response to the question, with 203 total responses. Responses were openended and respondents used the opportunity to name specific assets and to describe the types of assets they valued most or used most frequently (for example, some respondents named Spy Pond while others noted the town's parks and open spaces generally). To analyze the data, we first looked at asset types and aggregated general mentions of an asset type along with specific examples of that type. For example, in the chart showing Arlington's Most Valuable Arts and Cultural Asset Types, the category "theaters/cinemas" includes responses that identified Arlington's theaters as an important asset, as well as specific mentions of the Capitol Theatre, the Regent Theatre, and True Story Theater. We also analyzed the prevalence of specific assets identified by respondents. At least thirty assets were mentioned by name at least twice, with eighteen mentioned five or more times.

Most Valuable Types of Arts and Cultural Assets

Comments highlighted the importance of the local theaters and cinema, the libraries, and parks and open spaces, which were among the most frequently identified. Creative businesses, public art, and events and festivals each received 29 mentions, with restaurants, historical assets, galleries and museums rounding out the top ten asset types mentioned.

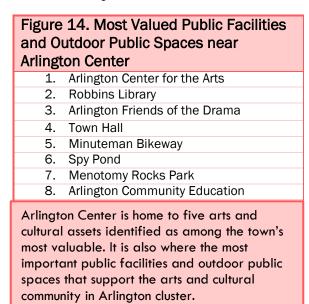


Figure 13. Most Frequently Identified Arts and Cultural Assets by Type



Most Valuable or Most Highly Used Arts and Cultural Assets

Theaters featured prominently among specific assets listed. Capitol Theatre and the Regent Theatre each received over 30 mentions. These theaters and the Arlington Center for the Arts, which also received over thirty mentions, are key anchors for arts and cultural activity in Arlington. The performing arts are a highly valued element of that activity, with Arlington Friends of the Drama also frequently mentioned. Public facilities play an important role in shaping Arlington's arts and cultural identity. Both the Robbins Library and Arlington Town Hall were frequently identified among the town's most valued assets.



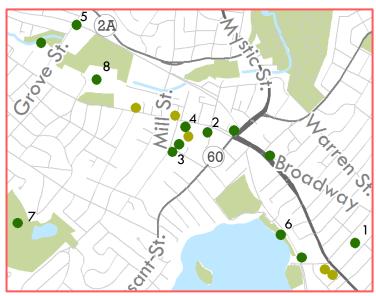




Figure 15. Six Most Frequently Identified Arts and Cultural Assets Considered Most Valuable

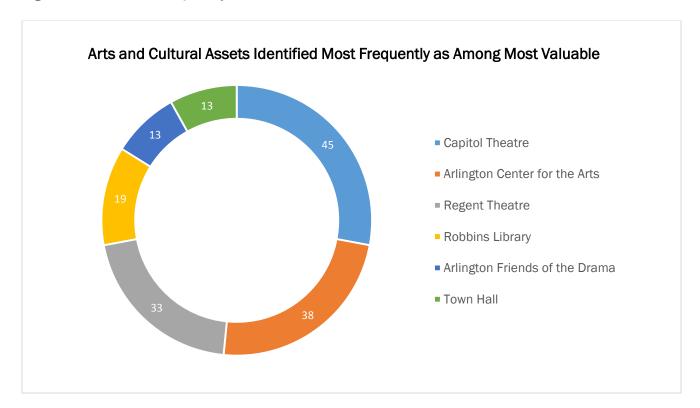


Figure 16. Arts and Cultural Assets Identified by Survey Respondents as Most Valuable Shaded assets located in or near Arlington Center

Assets Identified >10 Times		Assets Identified 5-10 Times		Assets Identified 2-5 Times	
Capitol Theatre	45	Minuteman Bikeway	9	True Story Theater	4
Arlington Center for the Arts	38	Spy Pond	8	Chairful Where You Sit	4
Regent Theatre	33	Robbins Farm Park	8	Arlington Historical Society	4
Robbins Library	19	Cyrus E. Dallin Museum	8	Shakespeare in the Park	4
Arlington Friends of the Drama	13	Porchfest	8	Artlounge	3
Town Hall	13	Play Time	8	Jason Russell House	3
		13Forest	7	Painted Transformer Boxes	3
		Artbeat Creativity Store	6	Jefferson Cutter House	3
		Menotomy Rocks Park	5	Dance Place	2
		Arlington Community Education	5	Ballet Academy	2
		Old Schwamb Mill	5	Drum Connection	2
		Kickstand Café	5	Arlington Community Media	2

Total Responses: 203



Arts and Cultural Needs Assessment

MAPC conducted an assessment of Arlington's arts and cultural needs by examining responses to the town-wide survey, participant comments in focus groups, and feedback collected from public meetings. Concurrent with the cultural planning process, the Town of Arlington also commissioned TDC consulting group to undertake a study examining the arts and cultural activities of five town-associated agencies and groups. The themes from MAPC's and TDC's assessments are provided below.

Survey respondents and focus group and public meeting participants identified five primary needs, which are outlined below. The primary need identified is coordinated marketing, coordination, and funding for Arlington's arts and cultural events and activities. Other needs include:

- policies that increase housing affordability,
- policies that incentivize development of more artist work space,
- better data about arts and cultural assets and activities,
- integration of arts and cultural considerations in town planning activities and infrastructure, and
- improved coordination between artists and arts and cultural organizations and businesses.

Marketing, Coordination, and Funding

Survey respondents and focus group participants identified marketing, coordinating and funding of arts and cultural events and activities as the most pressing challenges facing the creative community. Both artists and audiences see a need for better coordination of arts activities including a central events calendar and a way to connect artists to available work, rehearsal, and performance space. Artists and arts organizations are particularly concerned with establishing sustainable funding streams to ensure the long-term growth of arts and cultural events, classes, and activities. Many feel the sector is currently under-resourced, and organizers are under strain to maintain the current level of activity.

Housing Affordability

Housing affordability and the risk of losing artists due to rising housing costs was a recurring theme. Implementation of the town's 2016 Housing Production Plan should integrate the needs of the town's creative community.

Housing is getting so expensive, [it is] hard to attract artists that typically have lower incomes.

Artist Work Space

Survey respondents and participants in focus groups and public meetings expressed a desire for policies that incentivize development of more artist work space suitable to different artistic disciplines including:

- o studio and fabrication space,
- specialized spaces for photography,
- o arts instruction space, and
- o music and theater rehearsal and performance spaces.



In addition, respondents identified a need for

- Streamlined access to the existing policies and procedures related to arts and cultural activities.
- Streamlined rental procedures
- Reduced rental costs or a sliding scale of rental fees.
- Spaces that encourage networking and community building among the town's creative community

community building among the town's creative community.

Artists identified town-owned spaces as an opportunity to meet their need for facilities, but felt that barriers of

Arts & Cultural Data

Focus group participants recruited from among Arlington's active citizenry identified needs related to data collection and coordination, including the following:

cost, access, availability, and a lack of transparency about rental procedures limited their current use.

- collecting data on arts and cultural activities and spaces, and
- maintaining a cultural asset inventory.

Planning & Infrastructure

In addition to using data to highlight the value of arts and culture, Arlington residents want arts to be integrated into public realm improvements including:

- bike racks and street furniture and
- improvements to the Minuteman Bikeway.

Residents want to ensure that upgrades and improvements to public facilities and public open spaces are designed to support the needs of artists and art and cultural events in order to strengthen the perception of Arlington as a home to the arts.

Many people come for the bike path... how to connect walking paths in town to the bike path too?

School auditoria could be made

about use of space.

available for artist performances in

the evening; need to think creatively

Resources and Coordination

Arlington's artists need resources to help their professional development and increase their visibility with local audiences. Artists want to know each other, but don't have good resources to find out who is doing what. They are interested in getting more involved in designing public spaces The arts community identified a need for

- better opportunities to build professional networks within Arlington and
- more support in finding and renting space for their creative activities, including:
 - o a calendar of events and

Need more pollination of ideas – events and/or spaces where artists can share ideas, skills, resources.



o an inventory of spaces.

Many respondents, including artists, arts and cultural organizations, arts and cultural businesses, and others see a need for better coordination to enable partnerships among artists, businesses, schools, libraries, and other organizations to help Arlington's arts and cultural life thrive.

Need an arts and culture liaison position to coordinate/manage.

Additional Findings from TDC Study of Arlington Arts Agencies

Coordination and funding of arts activities in Arlington were also subjects of a separate study conducted by TDC. Using funding from a Community Development Block Grant, the town of Arlington commissioned TDC to evaluate the roles and responsibilities of six Arlington entities responsible for supporting arts and culture in town:

- 1. Arlington Cultural Council (ACC)
- 2. Arlington Public Art and Vision 2020
- 3. Arlington Commission on Arts and Culture (ACAC)
- 4. Arlington Committee on Tourism and Economic Development (A-TED)
- 5. Arlington Cultural District Managing Partnership (ACDMP)
- 6. Arlington Center for the Arts (ACA)

The TDC study examined the organizational infrastructure of each agency and identified opportunities for improved coordination. Using a process consisting of independent research, convenings, and interviews, TDC found that the town's levels of arts and cultural activity have grown over the last few years through a combination of volunteer energies and support from Arlington's town administration. However, interviewees and TDC concurred that dedicated staff support is needed in three key areas: fundraising, installation and maintenance of public art, and coordination of major events. While current operations have created exciting opportunities for resident-driven arts and cultural projects to be piloted, steady staff support from the town will facilitate continuation of arts and cultural events that have long-term merit and benefit to the town's civic priorities. Using case studies and interviews with cultural affairs staff working in other municipalities, the study recommends town investment in a higher-level staff person with marketing and events expertise who can think strategically and negotiate partnerships and sponsorships and manage individual activities in a way that maximizes their impact for the town.

TDC's study outlined three core values and three core activities that would be advanced by an arts and culture staff position. This arts and culture action plan aims to serve as the roadmap for advancing these activities and values and outlines a set of concrete strategies and actions that can be stewarded by a municipal position dedicated to advancing Arlington arts and culture. Additional recommendations provided by TDC that pertain to funding and job responsibilities for the position as well as recommendations for improved coordination and potential merger of the agencies and commissions can be found in Appendix E.



Figure 17: TDC Study of Arlington Arts Agency - Logic Model of Activities and Impact

Activities	Outputs		Outcomes		Impact
Smart and	Arts and Culture Action Plan Process for		Increased participation from residents and visitors in Arlington's arts offerings		
supportive arts policy and coordinated processes	prioritizing program ideas put forth by residents • Coordinated		Vibrant public spaces		Community Impact
	marketing and programs		Arlington artists are supported to create great art		
	Engaging, well- marketed				
Provision of resources for arts activities	projects, programs, and festivals that showcase		Enhanced perception of Arlington as a great place to live and visit		Economic Impact
and adminico	Arlington arts organizations and artists		Economic benefit for local businesses, arts organizations, and artists		
Demonstration of the value of	Cultural asset inventory Impact data		Prioritization of the arts and culture as important elements of the town		
the arts for Arlington	collected • Program evaluated		Satisfaction, fulfillment, and robust participation of civically engaged residents		Legacy



Arts & Culture Action Plan

Recommendations

The following matrix outlines goals and strategies that serve as a roadmap for the Town of Arlington and partners to realize their arts and cultural vision over the next 6-8 years. The categories of action are organized around three overarching priorities: strengthening the arts and cultural sector, strengthening infrastructure for arts and culture, and expanding fair access to opportunities for creative engagement and expression. Six overarching goals provide a framework for action, and the matrix presents strategy recommendations for achieving those goals, recommends a set of partners responsible for implementing each strategy, and estimates each strategy's implementation time-frame (1-2 years, 3-5 years, 6-8 years).

Action Plan Matrix Implementation Partners -

Abbreviations

- A-TED Arlington Tourism & Economic Development Committee
- AA! Arlington Alive!
- ACA Arlington Center for the Arts
- ACAC Arlington Commission on Arts and Culture
- ACC Arlington Cultural Council
- APL Arlington Public Libraries
- APS Arlington Public Schools
- ARB Arlington Redevelopment Board
- BAC Bicycle Advisory Committee
- BRSB partners Battle Road Scenic Byway partners
- BOS Board of Selectmen
- CSMA Capitol Square Merchants Association
- CC Conservation Commission
- CoC Chamber of Commerce
- CD Cultural District
- CDMP Cultural District Managing Partnership
- CPC Capital Planning Committee
- CPAC Community Preservation Act Committee
- DPW Department of Public Works
- ED Economic Development
- Facilities
- FC Finance Committee
- HC Historical Commission

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- HCA Housing Corporation of Arlington
- HHS Health & Human Services
- HRC Human Rights Commission
- IT Information Technology
- MPAC- Master Plan Advisory Committee
- MBAC Minuteman Bikeway 25th Anniversary Committee (MBAC)
- OSRC Open Space and Recreation Committee
- PCD Dept. of Planning and Community Development
- PIC Public Information Officer
- PRC Park & Recreation Commission
- RD Recreation Department
- SAC Support Arlington Center
- SAH Support Arlington Heights
- TAC Transportation Advisory Committee
- TM Town Manager

Please see Appendix C for an overview of the organizations and individuals who have signed onto the Partnership Agreement that was submitted to accompany the town's application for Cultural District designation.

Please see Appendix D for a summary of town studies, initiatives, and bylaws that are illustrative of current arts and culture initiatives being overseen by the town.



Implementing Arlington's Arts and Cultural Vision: Action Plan Matrix

Goal	Topic	Strategies	Near- Term (1-2	Mid- Term (3-5	Long- Term (6-8	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
GOAL #	+1. CTDENGT⊔	IEN ARLINGTON'S INFRASTRUCTURE FOR ARTS AND CULTURE	years)	years)	years)			
GOAL #	FI: SIKENOIN	IEN ARLINGTON 3 INFRASTRUCTURE FOR ARTS AND COLTURE						
		tural life is important to Arlington's character, identity, and civic life. Th nd a staffing capacity and structure for appropriately resourcing the in						
1.1	Funding	Identify sustainable funding mechanisms for arts and culture, including temporary and permanent art and maintenance of art (including those donated to the town and those acquired through funding from ACAC and APA). • Consider various town-wide and district tools using an assessment/fee structure, such as special notices about donation opportunities with water bill mailings, business improvement districts and parking benefits districts. • Use funds to finance public art and creative placemaking particularly in areas of concentrated activity, i.e., CD area. • Establish funding streams for maintaining public art assets, e.g. through general open space maintenance budgets, CPA funds, etc. • Explore innovative approaches to soliciting contributions, e.g., special letters mailed with notices or bills from the town; crowd-sourcing platforms, "Donate Now" buttons on organization websites, stickers or other rewards provided to those who donate, etc. • Change language from fundraising for the arts to investing in the arts.	X	X	X	PCD	FC, ACAC	



Goal	Topic	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
1.2	Funding	Support fundraising and coordination for Arlington's arts and cultural festivals: Arlington Alive!, Porchfest, Feast o' the East, etc.	X			AA!	ACA, ATED, PCD	
1.3	Staffing	Hire conservator to detail maintenance requirements of public art assets.		х		DPW	PRC	#85
1.4	Staffing	 Develop Arts and Cultural Affairs position within Department of Planning and Community Development. Align role with community development priorities of PCD. Determine staffing capacity needed, develop job description and fill position. Responsibilities may include serving as liaison to arts and culture-related boards, committees, and commissions; serving as ombudsman to arts and cultural community on topics including town policies and permitting pertaining to arts and culture; writing grants to support arts and culture activities and staffing; and engaging in marketing and publicity of arts and cultural programs and events in town. 	X	X		PCD	ТМ	
1.5	Staffing	Streamline and supplement staffing capacity at town- operated historic properties: Inventory current paid or volunteer staffing levels at historic properties operated by the town, e.g., Uncle Sam Plaza Visitors Center and Dallin Museum. Schedule facilities staff time needed to support cultural resources and events in town. Contract with Arlington-based producers of public events to provide paid staff capacity as needed.		X		DPW	PCD, HC, ATED, MBAC	#44



Goal	Торіс	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
1.6	Communication and Promotion	 Develop, market, and promote Arlington's arts and cultural identity building off of the Arlington Arts and Culture Vision. Coordinate promotion of various artistic, cultural, and historic assets including buildings, spaces, and events. Maintain an Arlington Arts and Cultural Events website (potentially building off of ACAC's website or ArtsBoston calendar); Promote events through social media and traditional media outlets. Rename/rebrand town spaces serving as home to anchor arts and cultural organizations as appropriate. 	X			PCD	ACAC, PIC, CoC, SAC, SAH, CSMA	#90
1.7	Communication and Promotion	Maximize occupancy of underused spaces and match artists to workspaces through online tool. Build and publicize an online inventory of available rehearsal, performance, and work spaces in townowned and privately-owned buildings and outdoor spaces that can be rented at a fee or used for free. Centralize and publicly disseminate this information.	x	x		DPW	Facilities	
1.8	Communication and Promotion	Through PCD economic development capacity, organize business owners in the Arlington CD to co-promote districts' arts and cultural assets, e.g., culinary arts, galleries, arts supply and arts education businesses, etc.		x		PCD, CDMP	CoC, Businesses	



Goal	Topic	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
1.9	Coordination	 Rationalize arts and cultural boards, committees, and commissions under the leadership of the Arlington Commission for Arts and Culture (ACAC.) Implement recommendations from TDC commissioned study. Develop coordinated annual action plan for ACAC that concentrates on strengthening Arlington's municipal infrastructure for arts and culture and monitors advancement of select strategies in this action plan, including fundraising, marketing, publicity, and arts grant making responsibilities. 	x			PCD	ACAC, ACC, CDMP, A-TED	
1.10	Activating Spaces	 Activate public facilities and outdoor public spaces through arts and cultural programming initiated by the town. Activate Arlington Town Hall's first and second floor spaces as a prime artistic and cultural asset and potential hub of artistic and cultural activity. 	x			TM	PCD	
1.11	Activating Spaces	 Establish the new Arlington Center for the Arts location as a multigenerational hub of arts and culture. Establish partnerships among town staff, Council on Aging, Arlington Senior Center, and Arlington Center for the Arts Design and program new ACA space to support arts and cultural activities of Senior Center and Council on Aging. Establish coordination strategy among partners. 	x	х		PCD, COA, ASC, ACA	TM, ACAC, ACC	



Goal	Topic	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal			
GOAL #	GOAL #2: IMPROVE POLICY CONDITIONS AND ADMINISTRATIVE PROCEDURES TO HELP THE ARTS AND CULTURAL SECTOR THRIVE										
and adn	A vibrant arts and cultural sector is an important element of the town's community and economic development vision. The Town of Arlington will improve zoning policy and administrative procedures to remove barriers that may limit or prohibit the inclusion of temporary or permanent arts and cultural uses in Arlington in suitable locations.										
2.1	Policy	Research issues of artist insurance and integrate findings into policy changes.	х			PCD	ACAC				
2.2	Policy	Review zoning pertaining to commercial and mixed use zoning districts, definitions for arts and cultural uses, conversion of garages, and permitted uses for home offices to ensure artist work space, artistic/creative production and manufacturing, and artist live/work spaces are permitted in suitable locations in town. • Consider establishing artist live/work space as a use category. • Establish clear rules for artists to display their work as public art on private property	х	х		PCD	ACAC				
2.3	Policy	Evaluate whether zoning is creating unintentional gaps in activity along the stretch of Massachusetts Avenue that links the cluster of activity and assets in Arlington Center with the Capitol Square cluster and preventing the area from becoming a cohesive whole. • Amend zoning as appropriate to achieve goals for CD.	х	х		PCD, ARB, BOS	CDMP				
2.4	Policy	Review general bylaws for restrictions on noise, alcohol sales, or other issues that may create barriers to an active street life, especially in the evenings. Explore changes to bylaws to encourage a more active street life and arts and cultural activities at night.	X			PCD, BOS	Town Counsel				



Goal	Topic	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
2.5	Policy	 Adopt maintenance and repair policy for temporary or permanent public art commissioned by the Town of Arlington (this may include murals on public buildings, wayfinding and branding signage for the CD area and arts and cultural organizations). Align policy with recognized public art maintenance standards Address maintenance of public art on private properties. 			X	ACAC	TM	#92
2.6	Policy	 Increase access to and use of public facilities and open spaces by Arlington arts and cultural community. Reduce rental fees for Arlington-based producers of arts and cultural concerts, festivals, and events. Amend rental policies to reduce requirements for trash removal and security for events produced by Arlington-based artists, arts and cultural organizations, and arts businesses. 	х			TM	ACAC	



Goal	Topic	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
2.7	Administrative Procedures	 Create single online location for information about initiating new arts and culture events and activities in town. Streamline location of license and permit forms, such as the special event permit for events with 100+ people, temporary food permit application, block party application, common victualler, special one-day liquor license, street performers application, film production permit, field permit, art in vacant storefront application, ACC grant application, public art guidelines and the permits for usage of various town spaces including Dallin Museum, Town Hall, Council on Aging, and other spaces. Locate information about special event management including policies and procedures for security, trash collection, catering, alcohol, and public notices in same location as license and permit forms. 	X			TM	ACAC, PCD, ARB, BOS	#2
2.8	Administrative Procedures	Hold recurring events-permitting meetings where residents can secure required approvals for arts and cultural activities. • Bring together key town staff whose approval is required for permitting process and publicize meetings on event permitting information website.	X			TM, DPW	HDC, BOS, APD, AFD	
2.9	Administrative Procedures	Facilitate rental of municipal equipment by Arlington arts and cultural community for permitted special events. • Equipment includes audio/visual systems, lighting, tents, temporary stage, chairs, tables, etc.	X			PS	PCD	

Arts&Culture Action Plan

Goal	Topic	Strategies	Near- Term (1-2 years)	Mid- Term (3-5 years)	Long- Term (6-8 years)	Primary Partner	Secondary Partners	Aligns with Master Plan Goal
2.10	Administrative Procedures	Improve town's capacity for handling security, trash collection, and public notices for special events related to arts and culture in public spaces and facilities.		X		DPW	PCD	
2.11	Administrative Procedures	Adopt policy and procedures for allocating resources for beautification and arts and cultural events in CD. • Resources will be generated through mechanism described in 1.1.		x		PCD, CDMP	CoC, Businesses	#3



GOAL #3: PURSUE INTERDISCIPLINARY PLANNING INITIATIVES THAT ENGAGE ARTS, CULTURE, AND CREATIVITY AS VITAL TO IMPLEMENTING THE MASTER PLAN VISION

Arts and culture is essential to fostering a vibrant and livable Arlington. The Town of Arlington will undertake planning initiatives that engage arts and culture as an essential element in realizing the Arlington Master Plan's vision of a healthy and thriving Arlington. Activities will include documenting arts and cultural assets, integrating arts and culture into planning processes and planned public infrastructure improvements, and engaging public art practices as a means for creative and inclusive placemaking.

3.1	Maintain arts and culture assets inventory as documented in this Action Plan. Develop a consistent schedule for updating inventory. Explore using a moderated, open-source assets inventory tool to facilitate ongoing data collection. Contract with consultant to perform periodic inventory as needed. Pursue diverse funding sources for cataloging and surveying arts, cultural, and historic resources.	X	X	Х	PCD	ACAC, ACC, HC, IT	#18
3.2	Develop quantitative and qualitative metrics to measure the impact of arts and culture on Arlington's planning and community development priorities. • Encourage arts organizations to collect data on the impact of arts and cultural activity through surveys and pedestrian counters within transportation, public health, economic development, and other planning efforts.	x	X	х	PCD	ACAC, IT	#35



3.3	Data Collection	Monitor action plan implementation through survey administered by ACAC or ACC as part of arts and cultural assets inventory update. • Continue to ask select questions from the Arts and Cultural Assets and Needs Survey. • Monitor creative community satisfaction with town services pertaining to arts and culture.	х	x	x	PCD	ACAC, IT	#35
3.4	Data Collection	Collect and disseminate data to support integrating arts and culture into town planning, decision-making, and civic engagement work. • Compile and make available to local artists and town entities vivid examples of the ways communities have woven arts into town planning, decision-making and civic engagement. • Compile and make available information on Bostonarea artists in various mediums who have the interest and skills to do civic engagement art.	X	x		PCD, ACAC	IT, MAPC	
3.5	Data Collection	Evaluate arts and cultural facilities for ADA accessibility and develop an accessibility plan to remove barriers to accessing arts and cultural facilities.		x	X	PCD	Arlington ADA Coordinator	
3.6	Planning	Develop a plan for maintaining temporary and permanent public art and historic resources in public buildings and townowned public spaces. • Include a public art deaccessioning and storage plan.		х	Х	TM	ACAC, HC, DPW	#53

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3.7	Planning	During construction and redesign of new and existing municipal buildings, include community-use public spaces that can be used for rehearsals, performances, and arts instruction in building programs. • Recruit artists as advisors on capital improvement projects. • Prioritize design teams that include artists or have demonstrated experience engaging arts communities in design process.	х	x	х	ACAC	PCD, Gibbs School, HCA, APS, MPIC	
3.8	Planning	Engage arts and culture as core part of wayfinding strategy for Minuteman Bikeway by raising money for and executing art installations along Bikeway that Contribute to identity and cohesion of CD. Capture momentum around the 25th anniversary of the bikeway, and Advance broader transportation planning priorities.	х	×		ACAC	PCD, ACC, MBAC	#55
3.8	Planning	Engage arts and cultural community in transportation initiatives pertaining to complete streets, pedestrian safety, and transportation advocacy. • Integrate temporary or permanent public art into transportation infrastructure including sidewalks. • Recruit members of arts community to advisory committees for transportation projects. • Include funding for artist-led creative outreach and public education programs in planning projects.		X	Х	ACAC	PCD, TAC	#12



3.9	Planning	 Engage arts and cultural resources as part of strategy for environmental resources education, preservation, marketing, and promotion. Use public art and creative placemaking to activate underutilized parks and open spaces. Facilitate partnerships among local arts and culture community and environmental advocates as part of open space planning and capital improvement projects in parks and open spaces. 		×	x	ACAC	PCD, OSRC, MPIC	#1 <i>7</i>
3.10	Planning	 Engage arts and cultural resources as part of strategy for preserving, marketing, and promoting historical and cultural resources. Employ artists to design wayfinding for historic and cultural resources through a juried or curated public art and design process. 	x	x	х	ACAC	PCD, TAC, MPIC	#87
3.11	Planning	 Integrate public art into urban design and public realm. Partner with ACAC and APA to pilot creation of unique, beautiful and functional benches, bike racks, and banners. Encourage cultural experiences in public spaces, e.g., music, visual, and culinary arts at the Arlington farmer's market. Identify and activate alleyways, rooftops on renovated or new buildings, and walls appropriate for murals or projection space. Consider purchasing and renovating building to house a community arts space. Employ a team of artists and designers to mark the gateway to Arlington's CD from Cambridge. 	X	X	x	PCD, TAC	ACA, ACAC, MPIC	



3.12	Planning	Integrate infrastructure requirements to support arts and culture activities and events into the scopes of public realm improvements for plazas and outdoor spaces: electrical power, water supply, lighting, flexible seating, and a stage area with unobstructed views. • Prioritize elements in projects near nodes of arts and culture activity in CD and along spine connecting Arlington Center and Capitol Square.	х	x	x	PCD, TAC	ACAC, MPIC
3.13	Planning	Serve as matchmaker connecting artists seeking co-working work or rehearsal space with access to transitional vacant spaces that could accommodate below-market short-term rentals or short leases for the arts and cultural community.		X		PCD	ACAC, A-TED, Property Owners
3.14	Activating Spaces	Continue to support community-based public art projects such as the APA-curated Storefront Stories Project as part of an ongoing town-led community development and placemaking initiative. • Explore collaborative funding stream to finance the project including funds raised from members of the Arlington community.	х	X	x	ACAC	ACC, PCD
3.15	Activating Spaces	Establish artist residencies in town-owned spaces such as libraries and schools.		Х		PCD	ACAC, DPW

GOAL #4: EXPAND PUBLIC ACCESS TO OPPORTUNITIES FOR CREATIVE DEVELOPMENT, PARTICIPATION, AND EXPRESSION

A vibrant cultural life in Arlington includes fair access to opportunities for creative/artistic development and exposure to and participation in diverse artistic and cultural experiences. The Town of Arlington will foster collaborations between local and regional public, private, and nonprofit arts and cultural organizations, institutions, businesses, and others in order to improve the programmatic diversity of artistic and cultural offerings in Arlington.



4.1	Expanded Employment	Promote collaborations among arts and cultural community, libraries, and schools to create more opportunities for Arlington-based artists to work in-residence or to sell, show, or perform artistic works as part of library and school programs and at local businesses. • Set annual goal for increasing number of individual opportunities for Arlington-based artists and arts and cultural organizations to practice, show, and perform work in these public programs and private businesses.		x x	ACAC	ACA, APL, APS
4.2	Expanded Employment	Establish an arts internship program that aligns student interests with needs of local artists and arts and cultural businesses and organizations and employs local high schoolers. • Build partnerships among libraries, AGBC (Boys & Girls Club), ACA, youth centers, and the Arlington Public Schools to identify and recruit participants.		x	APS, CoC,	ACAC, ACA,
4.3	Cultural Equity	 Promote socially engaged artistic and cultural programming that enhances the diverse cultural fabric in Arlington. Encourage partnerships among arts and cultural organizations to promote artistic and cultural programs responding to civic priorities, such as diversity and inclusion. Promote cultural equity through strategic partnerships creating works that amplify the diversity in Arlington's demographics in terms of ethnicity, age, and ability. Work through programs sponsored by libraries, schools, and organizations. 	x		ACAC, ACC	HRC, HHS, APS, APL, Arts and Cultural Organizations, BRSB partners



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4.4	Public Realm	Maintain excellence in public art through professionally curated exhibitions engaging with contemporary subject matter and trends. Ontinue tradition established by APA in commissioning temporary public art that stimulates creative placemaking aligned with civic priorities like economic development and social cohesion.		x		ACAC, APA	Galleries, ACA
4.5	Public Realm	Establish monthly visual and performing arts event, such as an art walk or First Friday event that showcases Arlington's artists and activates the public realm, particularly in the CD.	X			ACAC, CDMP	CoC, APA, ACA
4.6	Professional Development	Connect artists with local and regional professional development opportunities. • Engage PCD's economic development expertise to support individual artists' work in branding, marketing, and promoting their skills and services. • Establish partnerships among PCD, ACC and APL to fund and host these opportunities.		x	х	PCD	ACC, APL, CoC

GOAL #5: STRENGTHEN THE ORGANIZATIONAL INFRASTRUCTURE OF ARLINGTON ARTS AND CULTURAL INSTITUTIONS

The viability and sustainability of anchor arts institutions in Arlington is important to improving the quality of artistic and cultural opportunities available to artists and non-artists alike. The Town of Arlington will identify opportunities to strengthen communication and strategic collaborations between organizations in ways that maximize resources and improve quality of programming and services for the arts community and for the general public.

5.1	Build off of TDC's recommendations and develop strategic Organizational plan focused on building the capacity of Arlington arts and Sustainability cultural organizations in terms of audience development, marketing, income generation, programming and coordination.		х	PCD	Arts and Cultural Organizations	
5.2	Organizational Sustainability	Examine the strategic plans of arts and cultural organizations in the context of arts and cultural assets and needs identified in the Arts and Culture Action Plan. • Identify areas of duplication or gaps in provision of artistic and cultural programming or services.	х		PCD	Arts and Cultural Organizations



5.3	Planning, Service Delivery	Establish a cultural campus among Town Hall and its surrounding assets: the new ACA/Senior Center, the Robbins Library, and Arlington Friends of the Drama. • Develop campus plan connecting campus to the CD and nearby assets such as the Uncle Sam Visitor Center, Minuteman Bikeway, Spy Pond, Jefferson Cutter House/Cyrus E. Dallin Art Museum, and Arlington Historical Society.	х	х		PCD, ACA, AFD, APL	USVC, MBAC, CEDAM, AHS
5.4	Service Delivery	Share arts and cultural assets and needs inventory information with anchor arts institution Arlington Center for the Arts in order to facilitate agency's strategic planning for artist professional development, artist business development, and arts education programming.	x			ACA	PCD, APL
5.5	Service Delivery	Explore the potential for developing new anchor arts spaces, like hubs of performance spaces, museums.		х	х	ACA	PCD, ACAC, AHS,
5.6	Service Delivery	Share arts and cultural assets and needs inventory information with Arlington Public Libraries in order to facilitate strategic planning regarding programming and library facilities policies and planning, including potential expansion.	х			APL	PCD
5.7	Activating Spaces	Support more big ideas for increasing visibility of arts and culture and establishing arts and cultural activity as an integrated feature of the public realm.	x	х	x	PCD, ACA	ACC, ACAC

GOAL #6: ELEVATE THE SOCIAL INFRASTRUCTURE AND CONNECTIVITY OF ARLINGTON'S ARTISTS AND CREATIVE PROFESSIONALS

Arlington is home to established professional artists and emerging artists at various stages of personal and professional artistic development. The Town of Arlington will facilitate communication and networking between Arlington artists in collaboration with arts and cultural institutions in order to improve dissemination of information pertaining to services and programming geared towards the creative community and facilitate creative collaborations and cross-pollination of artistic ideas.



6.1	Visibility	Host events that engage Arlington's established professional artists and create opportunities for them to network, perform and show their work in the community. Organize professionally curated exhibitions. Host live music and theatrical performances. Hold literary events. Facilitate partnerships among artists and businesses and local events (farmer's market, Town Day, parades) in the Cultural District to increase artists' visibility.	X	x	ACAC, ACC	ACA, CoC, Galleries, Businesses, CDMP
6.2	Visibility	Engage emerging artists who strive to develop their artistic practice personally or professionally and create opportunities for them to network and show their work through local shows at arts and cultural organizations and through partnerships with businesses in the Cultural District.	x	x	ACAC, ACC	ACA, CoC, Galleries, Businesses, CDMP
6.3	Artistic Quality	Actively recruit Arlington Cultural Council members from arts and cultural community. Highlight interest in professional arts expertise, arts and cultural organization experience, and/or experience producing artistic and cultural experiences.	X		ACC, ACAC, ACA	тм
6.4	Impact	Connect Arlington Cultural Council grants to broader community goals and planning priorities and facilitate strategies to combine resources for bigger grants and more exciting opportunities to engage professional artists in town initiatives.	x		ACC, PCD	TM, TAC, DPW, HC, MBAC, APL, APS



6.5	Impact	 Engage artists to help town staff: Raise public awareness of town issues Gather public input on town planning proposals Help people of differing opinions and viewpoints on policy proposals understand each other better Help town committees function better internally Build more positive relationship between players in the community Increase diversity (e.g., age, ability, and race) of public input and involvement Document the town's participatory processes. 	x	PCD, ACAC	TAC, DPW, HC, MBAC, BOS, APL, APS	
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Appendix A: Community Engagement Highlights

COMMUNITY ENGAGEMENT HIGHLIGHTS

Over 1,000 people were engaged through the planning process. Below is an overview of milestones in the cultural planning community engagement process.

Process Timeline



Over 900 people completed the survey. Each survey question was optional. Below are highlights from the survey responses.

Figure 1. Survey Respondent Age and Tenure Living in Arlington

How long have you live	d in Arlington?	Wh	nat is your age?
> 5 years	26%	<20 years old	1.1%
6-20 years	38%	21-40 years old	18.6%
21-40 years	25%	41-60 year old	49.9%
> 40 years	9%	>60 years old	30.4%
Total	raananaaa, 720	Total	responses: 727

Total responses: 730 Total responses: 727



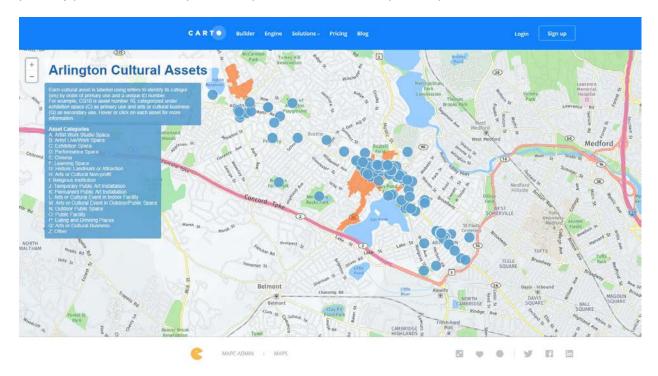
PARTICIPANT DEMOGRAPHICS

Women were over-represented among survey respondents, with 71% identifying as female. 89.1% of respondents identify as Caucasian, higher than the 83% of residents recorded as white in the 2010 census. Youth were underrepresented among survey respondents, with only 1.1% of survey respondents under the age of 20, compared with 27.2% of the general population (of which 5.8% were between the ages of 15 and 19) in 2010. Higher income earners were also over-represented among survey respondents, with 70.3% of respondents earning at or above the 2010 median household income of approximately \$85,000. Home owners were over-represented among survey respondents, with 72% of respondents reporting that they own a house or condominium, compared with a 53% homeownership rate among Arlington residents in 2010.

Women were over-represented among survey respondents, with 71% identifying as female. 89.1% of respondents identify as Caucasian, higher than the 83% of residents recorded as white in the Arlington 2010 census. Youth were underrepresented among survey respondents, with only 1.1% of survey respondents under the age of 20, compared with 27.2% of the general population (of which 5.8% were between the ages of 15 and 19) in 2010. Higher income earners were also over-represented among survey respondents, with 70.3% of respondents earning at or above the 2010 median household income of approximately \$85,000. Home owners were over-represented among survey respondents, with 72% of respondents reporting that they own a house or condominium, compared with a 53% homeownership rate among Arlington residents in 2010.

PUBLIC COMMENT TO DEVELOP AN ARLINGTON ARTS AND CULTURAL ASSETS MAP

The town-wide survey included a view of a draft Arlington Cultural Assets Map. The map was revised and updated to include additional assets supplied by survey takers and attendees at the Arlington cultural planning public events. The updated map is included in the body of this plan document.



Arts&Culture Action Plan

COMMUNITY MEETINGS AND EVENTS

Arlington Town Day - September 17, 2016

The Arlington Planning department and MAPC partnered to host an interactive activity tent during Arlington's Town Day in September. We shared the past work the town has done on this subject including the Arlington Master Plan, Cultural District Designation materials, Economic Impact of Arlington's Theatres Study as well as resources from local organizations and businesses. We collected contact information and shared the project website information, goals, timeline and how residents and attendees could get involved in the process.

Get Creative Community Visioning Event - March 1, 2017

On March 1 we hosted the Get Creative Community Visioning Event at Arlington
Town Hall from 6:30 - 9pm. The purpose of the event was to provide an opportunity
for public participation and to introduce the Arlington Arts and Culture Action Planning
Project. The meeting presented findings from an arts and cultural assets and survey that was
completed by 900+ Arlington residents and qualitative feedback from focus
groups. During the night, over 80 people attended.

The event featured live music provided by Arlington-based pianist David Harris; participatory art facilitated by Pam Shanley, an artist and organizer of Arlington Open Studios; a giant fish bicycle by Arlington-based sculptor William Turville; recycled bags made from banners designed by local youth that were once displayed on Arlington light posts, as well as a temporary exhibition/gallery of art made by twenty-oneArlington high school students. Eight members of our Cultural Planning Working group co-facilitated each of the four discussion stations with 20 minute blocks.

Plan It Out! Event - June 6, 2017

On June 6th, the planning team hosted the second and final public event for the Arlington Arts & Culture Action Planning Project at Arlington Town Hall. The purpose of the event was to invite feedback on the six action plan goals and strategies. During the two and a half hour event, over 75 participants heard from planners on the current plan goals and gave input on what the strategies should entail and who would be best to help implement these recommendations. The event included networking with arts and cultural businesses and organizations. Local pianist Rieko Tanaka provided entertainment. The Regent Theatre, Arlington Center for the Arts, and the newly formed Arlington Artist Alliance and all hosted tables with information on upcoming events and initiatives. The services of local creative businesses were also featured through a rotating slideshow.

Please see Appendix A for more information about the outreach and engagement strategy.





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ONLINE ENGAGEMENT, MEDIA, AND PRESS

Social media and online engagement was a key component of our outreach efforts. For our public events, we worked closely with the MAPC communications department and the DPCD to share our events with the public. The Town of Arlington and MAPC issued three press releases over the course of the project. The town also established a new Cultural Planning page on the website; MAPC also created a partner webpage profiling the project. These pages summarized project milestones, upcoming events, and included a new email account for all questions about the cultural planning process.





MEDIA COVERAGE - HIGHLIGHTS

Boston Globe - February 15, 2017

Arlington arts, culture group plans town-wide event

 $\frac{\text{https://www.bostonglobe.com/metro/regionals/west/2017/02/15/arlington-arts-culture-group-plans-townwide-event/Yyk1puhfHZ18azIJXfDA3I/story.html}{}$

Boston Globe - May 17, 2017

Arlington's arts and cultural assets are focus of June 6 meeting:

 $\frac{https://www.bostonglobe.com/metro/regionals/west/2017/05/17/arlington-arts-and-cultural-assets-are-focus-june-meeting/FxzzqcS5BnmTLNlkWj4NTN/story.html}{}$

Arlington Public News – March 29, 2017
Arlington Arts & Culture Planning Project
https://www.youtube.com/watch?v=nBhklCOVIX0

Arlington Public News – June 22, 2017 Arts & Culture Action Plan

https://www.youtube.com/watch?v=S-tT O3rA2Y&feature=youtu.be



PARTNERSHIPS

The Cultural Planning Working Group assisted us in our outreach efforts by directly engaging their personal and professional network of contacts. Through their connections, we reached community members involved in a range of town boards and commissions, organizations, projects, events, and business owners. Through these partnerships we were able to strengthen our public engagement at all levels of the process.

	Town Boa	rds and Commissions
Arlington Facebook groups	Town Hall	Human Rights Commission
Town Meeting Members	Diversity Task Group	Parks and Recreation Committee
Arlington Cultural Council	Arlington Tourism and Economic Development Committee	Public Memorial Committee
Arlington Commission on Arts and Culture	Arlington Education Foundation	Open Space Committee
Disability Commission	Arlington Department of Planning and Community Development	Library Board of Trustees
Arlington Public Art	Arlington Recycling Committee	Historical Districts Commission
Arlington School Committee	Historical Commission	Finance Committee

	Businesses
Workbar Arlington	Luv's
Kickstand Café	Artwear
Jammin' Java Open Mic	Drum Connection
Laundromat in East Arlington	Maxima
Whole Foods Arlington	Wood and Strings
Artbeat	Artful Heart Gallery
Regent Theatre	Claydreams
Arlington Center Wellness Space	Capitol Theatre

		Organizations / Events / Projects
True Story Theatre	Arlington Friends of the Drama	Friends of McClennan Park
Arlington Center for the Arts	Council on Aging	Friends of Robbins Farm Park
Chairful Where You Sit	Friends of the Fox	Friends of Thorndike Dog Park
Porchfest	East Arlington Livable Streets	Friends of Spy Pond Park
East Arlington Stories Project	Friends of Menotomy Rocks Park	Friends of Waldo Park
Sustainable Arlington	Walking in Arlington	Arlington Garden Club
Housing Corporation of Arlington		

FLYERS AND TRANSLATION

Print materials were key in increasing our reach and engagement for the public participation process of this event. 12 flyers were created to information stakeholders of the plan and community meetings in three different languages including Chinese, Spanish and English.

Arlington Arts&Culture Action Plan

March 1 Get Creative! Cultural Planning Event Flyers



June 6th Plan It Out! Cultural Planning Event Flyers

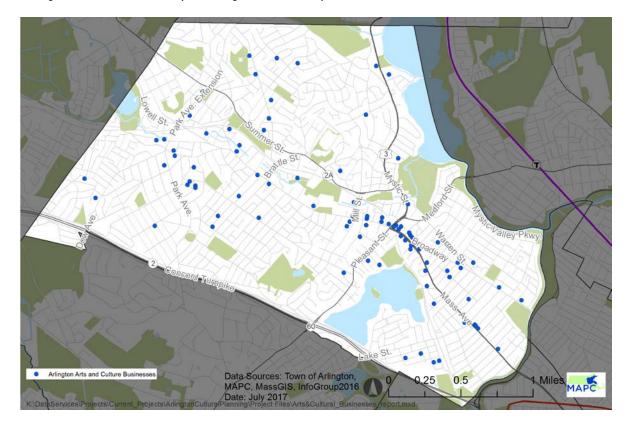


Appendix B: InfoGroup USA Data on Arlington Arts & Cultural Assets

InfoGroup is a provider of business and consumer data that administers an annual phone survey to collect data directly from businesses in North America. The following data was collected by InfoGroup in the 2016 calendar year and represents an additional snapshot of the diversity of arts and cultural businesses in Arlington. Based on InfoGroup's data, Arlington's registered arts and cultural businesses employed over 350 works in 2016 and the primary creative industries in Arlington fall under the following NAICS creative industry code categories:

- Architectural Services
- Fine Art Schools
- Graphic Design Services
- Independent Writers, Artists, and Performers
- Museums

Note: This data has not been reviewed for accuracy and may include businesses that no longer exist in Arlington at the time of the publishing of this action plan.



NAICSSIX- DIGIT	COMPANY_NAME	NAICS_DESC	# Employees
CODE			
511199	Miravia LLC	All Other Publishers	4
511199	Gammon Press	All Other Publishers	4
511199	Polytronics Laboratories	All Other Publishers	1
541310	Brown Fenollosa Architects Inc	Architectural Services	4
541310	Gina Sonder	Architectural Services	4
541310	Melanie Mikecz Illustration	Architectural Services	1
541310	O'Connell Architecture	Architectural Services	2
541310	Richard L Labbe Inc	Architectural Services	1
541310	Anthony Butler & Architects	Architectural Services	1
541310	Building & Monument Cnsrvtn	Architectural Services	4
541310	Dan Hisel Architect	Architectural Services	1
541310	Design Solutions Inc	Architectural Services	2
541310	Frank P Janusz Architecture	Architectural Services	4
541310	Gensler	Architectural Services	55
541310	Martha Penzenik Architects	Architectural Services	1
541310	David Whitney	Architectural Services	3
541310	William Mitropoulos Architect	Architectural Services	4
453920	13 Forest Gallery	Art Dealers	2
453920	Artful Heart	Art Dealers	2
453920	Artisens World	Art Dealers	1
453920	Lilla Rogers Studio	Art Dealers Art Dealers	2
453920	Maxima Art Ctr	Art Dealers	2
511130	Russell Group	Book Publishers	8
511130	Wildflower Publishers	Book Publishers	2
311130	Magic Dragon Comic Book	BOOK Publishers	
451211	Store	Book Stores	2
541922	Abbott-Boyle	Commercial Photography	3
541922	Callaway Photo	Commercial Photography	1
541922	Sharona Jacobs Photography	Commercial Photography	1
541922	Jeffrey D Rogers Photography	Commercial Photography	1
011022	The second of th	Commercial Printing (Except	
323111	Arlington Lithograph Co Inc	Screen & Books)	4
		Commercial Printing (Except	
323111	Arlington Swifty Printing	Screen & Books)	6
711120	Alton Street Dance	Dance Companies	1
443142	New England Photo	Electronic Stores	2
443142	Wave Arts	Electronic Stores	2
443142	Wordstock Inc	Electronic Stores	10
611610	Dance Caliente	Fine Art Schools	4
611610	Dance Place	Fine Art Schools	5
611610	Demers Piano Studio	Fine Art Schools	1
611610	Drumming Preparatory School	Fine Art Schools	3
611610	Israeli Simcha Line & Creative	Fine Art Schools	4

NAICSSIX- DIGIT CODE	COMPANY_NAME	NAICS_DESC	# Employees
611610	Lynn & Jen's Dance Studio	Fine Art Schools	2
611610	Amherst Early Music	Fine Art Schools	2
611610	Ballet Academy Inc	Fine Art Schools	4
541430	Catalano Design	Graphic Design Services	1
541430	Karen Mc Carthy Artist	Graphic Design Services	1
541430	Calligraphy for All Occasions	Graphic Design Services	1
541430	Castle Tower Graphics Inc	Graphic Design Services	2
541430	Hecht Horton Partners	Graphic Design Services	4
541430	Offpiste Design	Graphic Design Services	3
541430	One Visual Mind	Graphic Design Services	2
541430	Selbert Perkins Design	Graphic Design Services	5
541430	Kenneally Creative	Graphic Design Services Graphic Design Services	3
	i		
712120 711510	Jefferson Cutter House Nadia Mahfuz	Historical Sites Independent Artists, Writers & Performers	1
711510	Moonlight Disc Jockeys	Independent Artists, Writers & Performers	1
711510	Domino Physics	Independent Artists, Writers & Performers	1
711510	Straight Up Music	Independent Artists, Writers & Performers	1
711510	William Turville	Independent Artists, Writers & Performers	1
711510	Restoration Services	Independent Artists, Writers & Performers	4
541410	Bella Decor	Interior Design Services	2
541410	Northeast Interiors	Interior Design Services	2
339910	C Ileana & Co Inc	Jewelry & Silverware Manufacturing	2
448310	T C Jewelers	Jewelry Stores	3
448310	Terra Nostra Jewelry	Jewelry Stores	2
448310	Swanson Jewelers	Jewelry Stores	5
541320	Leonard Design Assoc	Landscape Architectural Services	1
541320	Terraink	Landscape Architectural Services	3
519120	Edith M Fox Public Library	Libraries & Archives	2
519120	Arlington Public Library	Libraries & Archives	11
512110	Communications for Learning	Motion Picture & Video Production	4
512110	Daval Video Productions	Motion Picture & Video Production	1
512110	Evans Mcnamara	Motion Picture & Video Production	3
512110	Reflection Films	Motion Picture & Video Production	3
512110	Paul Lenart Audio	Motion Picture & Video Production	1

NAICSSIX- DIGIT CODE	COMPANY_NAME	NAICS_DESC	# Employees
		Motion Picture Theaters (Except	
512131	Capitol Theatre	Drive-Ins)	8
712110	Arlington Center for the Arts	Museums	5
712110	Boston Rock & Roll Museum	Museums	3
712110	Cyrus Dallin Museum	Museums	5
712110	Hartwell Design	Museums	3
712110	Arlington Historical Society	Museums	2
712110	Arlington Natural Resources	Museums	3
712110	Old Schwamb Mill	Museums	3
712110	Cyrus E Dallin Art Museum	Museums	5
711130	Center Stage the Band	Musical Groups & Artists	2
	Joine Jage III Jane	Musical Instrument & Supplies	_
451140	Drum Connection	Stores	2
		Musical Instrument & Supplies	
451140	Wood & Strings Music Ctr	Stores	2
		Office Supplies (Except Paper)	
339940	Art By Umberto	Manufacturing	1
812922	Dorian Color Lab	One-Hour Photofinishing	8
		Other Performing Arts	_
711190	Magic & Puppets By Janine	Companies	1
541850	Prodisplays Northeast Inc	Outdoor Advertising	10
541921	Al Hiltz Photography	Photography Studios, Portrait	1
541921	Peter Southwick Photography	Photography Studios, Portrait	1
541921	Studio Atticus	Photography Studios, Portrait	1
541921	John Soares Photos	Photography Studios, Portrait	2
	Vanderpile Melina	_	
541921	Photography	Photography Studios, Portrait	1
544004	Rubicat Design &	Blacks and Ot Page Barbait	_
541921	Photography	Photography Studios, Portrait	1
515112	Easy Locate LLC	Radio Stations	6
<i>1</i> 51120	Fabric Corner	Sewing, Needlework & Piece Goods Stores	8
451130 512240	High Steppin Productions LLC	Sound Recording Studios	2
312240	High Steppin Productions LLC	Teleproduction & Other	2
512191	Spot Editorial	Postproduction Services	3
312131	Opot Editorial	Teleproduction & Other	5
512191	Open Eyes Video	Postproduction Services	1
	-, - ,	Theater Companies & Dinner	
711110	Arlington Children's Theater	Theaters	4
		Theater Companies & Dinner	
711110	Medford Street Theatre Inc	Theaters	4
		Theater Companies & Dinner	
711110	Regent Theatre	Theaters	4
744440	To a Otal Thank	Theater Companies & Dinner	
711110	True Story Theatre	Theaters	4
532230	Demetri Productions	Video Tape & Disc Rental	3

NAICSSIX- DIGIT CODE	COMPANY_NAME	NAICS_DESC	# Employees
		Total Employees	359

Arlington Arts&Culture Action Plan

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Appendix C: Arlington Cultural District Managing Partnership Agreement

Arlington Cultural District Managing Partnership Agreement

The Town of Arlington and the Arlington Cultural District Managing Partnership have partnered to establish the Arlington Cultural District. The Town supports this effort through a resolution approved by the Board of Selectmen on <u>Tune</u> <u>(a)</u>, 2016 and has designated two (2) Town Representatives to work with the Managing Partnership.

I. PURPOSE OF THE AGREEMENT

This is a voluntary agreement ("Agreement") between members of the Arlington Cultural District Managing Partnership ("MP") setting out the responsibilities of each party in pursuing the mission and management of the cultural district as designated by the Massachusetts Cultural Council.

The mission of the Arlington Cultural District ("ACD") is to support the artistic, creative and cultural assets located within the designated district and the town, and to promote the same to surrounding communities and the region. The goals of the district per the Resolution: 1) attract artists and cultural enterprise; 2) create a stronger partnership between the business community and the nonprofit and civic sectors; 3) encourage job development and economic vitality; 4) establish tourist destinations; 5) preserve and reuse historic buildings; and 6) enhance property values.

Upon recognition by the Commonwealth of Massachusetts as a designated cultural district, the MP becomes the management entity of the ACD. The MP will be accountable to the Town of Arlington as the governing authority of the ACD.

II. MANAGING PARTNERSHIP

For a full list of partners, see the final page of this Agreement. The list of partners may be revised or added to at the discretion of the MP with a majority vote. Any member of this partnership may withdraw at any time or be removed by majority vote of the MP. There shall be a minimum of five (5) core managing partners in the MP consisting of one (1) representative from Arlington's Libraries, one (1) representative from the Town of Arlington Planning and Community Development Department, one (1) representative from the Arlington Center for the Arts, one (1) representative of the Arlington Chamber of Commerce, and one (1) representative of an East Arlington business or organization.

Each partner shall name an individual authorized to represent them in participating in ACD decision-making and activities. Each partner agrees to respond to email communications from the Coordinator, and access materials distributed via the Arlington Cultural District directory in Google drive (or a similar cloud storage method to be determined by the Coordinator). There will be a quarterly meeting of the MP. All partners are expected to attend. MP partners will also be authorized to take votes at meetings.

Roles within the MP:

Coordinator: responsible for scheduling meetings, creating and disseminating agendas, designating a minutes-taker at meetings, distributing minutes, establishing communications methods and keeping the ACD directory up to date, and assembling the ACD Annual Report.

Fiscal Manager: see section III.

Marketing Czars: responsible for coordinating efforts to market the cultural district, including the formation and oversight of subcommittees to explore the feasibility of marketing ideas raised during MP meetings or public meetings.

Impact Analyst: responsible for identifying and implementing ways to measure how the ACD is achieving the MP's goals. The Impact Analyst will assemble data from fellow MPs and/or appropriate town departments for the ACD Annual Report. All data shall be stored in the online ACD directory.

Members at-Large: not assigned or responsible for specific duties beyond the requirements outlined for MP members noted herein.

Other roles may be defined and voted upon at a later date by the MP.

III. FINANCES

Funds raised by the MP shall be managed by a representative from the Arlington Chamber of Commerce who will be known as the Fiscal Manager within the MP. A financial report will be given at each MP meeting and for the purpose of assembling the annual report to the Board of Selectmen.

The Town of Arlington is not obligated to expend any public funds by entering into this agreement. No member of this partnership shall be bound to any financial obligation without approval of the appropriate body within their organization and for expenditure of funds for their appropriated purposes.

IV. AGREEMENT

The Town of Arlington agrees to participate in efforts to create, promote and sustain the ACD by:

- 1. Endorsing the submission of the cultural district application to the Massachusetts Cultural Council.
- Endorsing the cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving

- and reusing historic buildings, enhancing property values, and fostering local cultural development.
- 3. Appointing town officials to represent the town within the managing partnership of said cultural district.
- 4. Encouraging all who own property or businesses within said cultural district to involve themselves and participate in the development and advancement of the cultural district.
- Directing town agencies to identify programs, cultivate resources, and provide services
 that support and enhance the development and advancement of the cultural district and
 ensuring that those programs, resources, and services are made accessible throughout
 the cultural district.

The MP agrees to lead the efforts to create, promote and sustain the ACD by:

- 1. Participating in the governance and activities of the MP, and volunteering for subcommittee work when appropriate.
- 2. Encouraging local artists, makers, creative businesses and cultural organizations to identify themselves as being part of the ACD.
- 3. Cooperating in marketing initiatives that are identified and endorsed by the MP and its Marketing Czars, including social media blasts.
- 4. Representing the ACD and its goals at appropriate town committees and civic meetings as identified by the MP.
- 5. Supporting efforts to achieve consistency of identity through a variety of methods (i.e. signage, logo, colors).
- 6. Fostering partnerships and opportunities between local entities and individual artists.
- 7. Providing advice and stewardship of the economic sustainability of the ACD.

EFFECTIVE DATE AND DURATION OF AGREEMENT

This agreement shall take effect immediately upon its endorsement and may be amended at any time by a majority vote of the MPs.

AGREED TO BY:

DATE:

NAME:

CORE MANAGING PARTNERS:

NAME: Andrea Nicolay

OFFICE: Director of Libraries, ACD Coordinator

5/9/1657697F0B4EB.

Jennifer Raitt

EMAIL: anicolay cominlib.net

SIGNATURE:

OFFICE: Director, Department of Planning and Community Development,

ACD Impact Analyst

EMAIL: jraitt@town.arlington.ma.us

SIGNATURE:

DATE:

NAME: Beth Locke

OFFICE: Executive Director, Arlington Chamber of Commerce, ACD Fiscal

Manager

EMAIL: info@ortos:org

SIGNATURE: Bell loke

DATE: 30C3B437CCB648A...

NAME: Linda Shoemaker

OFFICE: Director of Arlington Center for the Arts, ACD Marketing Czar

EMAIL: linda@acarts.org 4

SIGNATURE: Sigh M Kelles

DATE:

NAME: Jan Whitted

OFFICE: Capitol Square Business Association, ACD East Arlington Representative

EMAIL: jan@artheatonline.com

SIGNATURE: JAN WHITTED

DATE: B0FC6DD1E7DE445...

MANAGING PARTNERS AT-LARGE:

NAME: Mike Buglio

OFFICE: Arlington Center Merchants Association

EMAIL: mbughin@book-rack.com

SIGNATURE: MLE BUGUO

DATE: F2C582D74247438.

NAME: Sarah Buyer

OFFICE: Arlington Center for the Arts

EMAIL: sarah@acarts.org

SIGNATURE: Javal Bry

DATE: TJUNE ROLL

NAME: Carla Dorato

OFFICE: Arlington Center Merchants Association

EMAIL: artfulheartgallery@gmail.com

SIGNATURE:

DATE:

NAME:

Pamela Meister

OFFICE:

SIGNATURE:

Arlington Historical Society

EMAIL:

pamela@themeisters.net

DATE:

NAME:

David Wilcox

OFFICE:

St. John's Coffeehouse

EMAIL:

dkw1@earthlink.net

SIGNATURE:

DATE:

NAME:

Aimee Taberner

aimae de

OFFICE:

Cyrus E. Dallin Museum

EMAIL:

aimtaberner@yahoo.com

SIGNATURE:

DATE:

NAME:

Judy Weinberg

OFFICE:

Arlington Friends of the Drama

Veln

EMAIL:

judyweinberg@remax.net

SIGNATURE: DATE:



Appendix D: Review of Zoning, Permitting, and Regulations Related to Arts and Culture

INTRODUCTION

Arlington's Zoning Bylaw reflects the town's commitment to supporting its local artists and grow arts and cultural activity in town by establishing two zoning use categories specific to the arts: Artisanal Fabrication and Artistic/Creative Production. These categories establish small-scale artistic production as separate from the light-industrial use category which would have encompassed them previously. This work has laid the foundation for a robust regulatory support structure for the town's arts and culture activity. Work remains to ensure that the use definitions are clear and distinct, that the zoning as a whole supports the goals of the Arlington Arts and Culture Action Plan, and that the general bylaws work in concert with the zoning.

DEFINITIONS

The following use definitions are critical for understanding how Arlington's Zoning Bylaws are supporting the arts and culture activities in town. Taken together, they create new opportunities for artistic and creative activities that would otherwise be prohibited in many of the areas identified as hubs of arts and culture activity in the Action Plan.

Artisanal Fabrication

ART. 6, ATM 4/16

Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 5,000 square feet of gross floor area. Typical uses have minimal negative impact on surrounding properties and include, but are not limited to, woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

Artistic/Creative Production

ART. 6, ATM 4/16

Creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content & applications; or the invention, design, prototyping, or fabrication, assembly, and packaging of parts for further assembly or consumer goods for sale.

Mixed Use

ART. 6, ATM 4/16

A combination of two or more distinct land uses, such as commercial, lodging, research, cultural,



artistic/creative production, artisanal fabrication, residential in a single multi-story structure to maximize space usage and promote a vibrant, pedestrian-oriented live-work environment.

Home Occupation

ART. 12, ATM 4/93

An accessory use which is carried on entirely within a dwelling unit, and is incidental and subordinate to the dwelling use. In connection with such use, there is to be no retail sale of merchandise on the premises. Such use shall be carried on by the occupants of the dwelling unit in compliance with the provisions of Section 5.05 and shall not in any manner change the residential character of the building. Home occupations do not include such uses as barber shops, beauty parlors, commercial stables or kennels, real estate or insurance offices, teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time.

ZONING AND PERMITTING OVERVIEW

1) Artists Working From Home:

The vast majority of artists use their home as a primary or secondary location for engaging in their creative pursuits. This use of the home for creative occupations as an accessory use is allowed all relevant zoning districts (residential, business, multi-use, planned unit development, and industrial) unless customers or pupils come to the house for business or instruction, in which case a special permit is required in all residential districts. Instructional activity as part of an accessory home occupation use is allowed in business districts B1-B5, Planned Unit Development (PUD) districts, and Industrial (I) districts. The receiving of customers or pupils is prohibited in multi-use districts. Additional restrictions apply to all accessory uses of housing for home occupations (Section 5.05 ART. 12, ATM 4/93; ART 4, ATM 4/02) including prohibitions on any nonresident being employed within the unit and on using more than 25% of the gross floor area to a maximum of 600 sf for the home occupation use (including space for storage of materials and finished products). Restrictions on the use of home offices for teaching purposes limit the number of pupils taught at one time to three or fewer in general and to only one for musical instruction with a special permit. The fact that residential spaces are inadequate to accommodate the needs of performing artists for teaching, rehearsing and performing was validated by the Action Plan's survey results. Arlington could examine the potential for an Artist Live/Work space use category to support the artistic community's need for more affordable housing and work space. In Somerville's Union Square, Artist Live/Work Space expands the allowable percentage of floor area for home occupation use to 50% and allows limited retail sales of work to be conducted out of the home. Somerville has also initiated an artist certification process, which allows them to establish and preserve space for use by artists. In Rockport, Massachusetts, the zoning bylaw defines a "Gainful Home Occupation" as "An occupation which is incidental to residence, carried on only by a person residing on the premises and no more than one additional person," which expands the use of housing for economic activity to all residents. Artists should be educated on the requirements for declaring businesses with clear information on how to properly comply with zoning ordinances.

Relevant Bylaws and Regulatory Requirements:

a) Declaring a business (http://www.arlingtonma.gov/departments/clerk-s-office/declaring-a-business)

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- i) Required for businesses that do not have the name of the owner (first and last or last only) in the business name. Explanation of "Doing Business As": http://www.arlingtonma.gov/home/showdocument?id=2220
- b) Home Occupation Regulation in Zoning Bylaw http://www.arlingtonma.gov/home/showdocument?id=26500
 - i) Section 5.05 Home Occupation ART. 12, ATM 4/93; ART 4, ATM 4/02 For the use of a dwelling in any "R" district for a home occupation, the following conditions shall apply:
 - (1) No nonresident shall be employed therein.
 - (2) Not more than twenty-five (25) percent of the existing gross floor area of the dwelling unit in the principal building, not to exceed six hundred (600) square feet, is devoted to such use. In connection with such use, there is to be kept no stock in trade, commodities or products which occupy space beyond these limits.
 - (3) That there shall be no display of goods or wares visible from the street.
 - (4) All advertising devices visible from off the lot are specifically prohibited.
 - (5) The buildings or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to the exterior appearance, emission of odor, gas, smoke, dust, noise, electrical disturbance, or in any other way. In a structure containing more than one dwelling unit, the use shall in no way become objectionable or detrimental to any residential use within the structure.
 - (6) Any such building shall include no feature of design not customary in buildings for residential use.

Use Category (ART. 12, ATM 4/93; ART. 5, ATM 4/00 Section 8.06 and 8.06a)	Residential Districts	Business Districts	Multi-Use Districts	Planned Unit Developments	Industrial Districts I
	RO-R7	B1-B5	MU	PUD	
Home occupation as accessory use for gain, or home office.	Yes	Yes	Yes	Yes	Yes
If customers or pupils come to the house for business or instruction	SP	Yes	No	Yes	Yes

2) Artists Working Outside Their Homes

Nearly 1 in 5 artists responding to the Action Plan survey indicated that their creative activities had been limited by inadequate space. This was particularly pronounced among artists in performing arts fees needing space to conduct lessons, rehearsals and performances as well as among artists engaged in creative activities requiring large and/or specialized equipment including woodshops, ceramic studios, darkrooms, photography studios, and sewing studios. Many of these activities fall within the definition of Artisanal Fabrication or Artistic / Creative Production. However, there is significant overlap between these two use categories and among these categories and the specific uses that fall under the Light Industrial section of the Zoning Bylaw use table. In addition, under Retail, the use category of "Establishments having more than 1,000 square feet of gross floor area for the manufacture, assembly or packaging of goods, provided that at least 50 percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building" overlaps somewhat with somewhat with the Artistic/Creative Production category, which includes "Creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content & applications; or the invention, design, prototyping, or fabrication, assembly, and packaging of parts for further assembly or



consumer goods for sale." The safest interpretation of these conflicts would be to prioritize the restrictions on the more specific uses over the more allowance of more general artistic uses. The end result is that the Artisanal Fabrication and Artistic/Creative Production categories are highly constrained in the types of spaces they allow.

As is evident from the table below, the light industrial uses that overlap with Artisanal Fabrication and Artistic/Creative Production are expressly prohibited in areas where Artisanal Fabrication is allowed with a Special Permit and in areas where Artistic/Creative production is allowed by right. This creates confusion within the bylaw as to when an activity would be considered "Artisanal Fabrication" versus "Light Industrial." Additional detail in defining light industrial uses in terms of floor area, equipment type or volume of production may be helpful for distinguishing those uses from Artisanal Fabrication uses. Retail establishments that include the manufacture and sales of merchandise are prohibited in districts where Artistic/Creative Production is allowed by right or by Special Permit and where Artisanal Fabrication is allowed by Special Permit. This restriction should be evaluated for its impact on the goals of the two arts-oriented use categories.

Use Category	Residential RO-R7	Nhd Office B1	Bus. Districts B2-B5	Multi-Use Districts MU	Planned Unit Developments PUD	Industrial Districts I
ART. 6, ATM 4/16 Artisanal Fabrication	No	SP	SP	SP	SP	Yes
ART. 6, ATM 4/16 Artistic/Creative Production	No	SP	Yes	Yes	SP	Yes
ART. 6, ATM 4/16 Mixed Use	No	SP	SP	SP	SP	SP
Light Industrial						
7.02 Printing, binding, or engraving plant	No	No	No (SP in B2A and B4)	No	No	Yes
7.03 Light Industrial: Industrial services (including machine shop, welding shop, plumbing, electrical or carpentry shop or similar)	No	No	No	No	No	Yes
7.05 Stone cutting, shaping and finishing in enclosed buildings	No	No	No (SP in B4)	No	No	Yes



Retail						
ART 15, ATM 5/91; ART 4, STM 5/97; ART. 14, ATM 4/01; ART. 2, STM 9/04; ART. 11, ATM 4/09; 6.18 Establishments having more than 1,000 square feet of gross floor area for the manufacture, assembly or packaging of goods, provided that at least 50 percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building	No	No	SP	No	SP	SP

Another challenge is that the use categories relevant to creative production and artisanal fabrication are distributed throughout the zoning bylaw. Simplifying the code could be accomplished through greater specificity as to use categories and a condensing of uses within categories. In Rockport, for example, the zoning bylaw provides definitions for establishments and activities specific to artists, including Frame Shops, Galleries, and Art Studios. Rockport's bylaw also consolidates all uses relevant to creative fabrication and retail sales of products falls under "Retail Business and Consumer Services Uses."

Another approach is being developed and tested in Somerville, where a publicly available draft of their revised ordinance (dated June 21, 2017) establishes "Arts and Creative Enterprise" as an umbrella category of uses with the following specific uses defined in detail:

- Artisan Production
- Arts Exhibition
- Arts Sales and Services
- Co-Working
- Design Services
- Shared Workspaces and Arts Education
- Work/Live Creative Studio

This approach consolidates uses pertaining to the arts and creative industries within the code and establishes permitting considerations related to limiting noise and pollution, providing for loading and waste removal and constraining the hours of visitation and retail sales. This approach also allows a municipality to explicitly encourage and incentivize artistic and creative enterprises.

3) Arts and Cultural Assets

A variety of use categories regulate the types of assets identified as contributing to the vitality of Arlington's arts and cultural life. Many of these categories would include businesses and organizations that may not be arts related, such as "School, college, or other institution, such as trade, driving, music, dancing, martial arts or professional school conducted as a private gainful business." In this categorization, a change in use from a music school to a driving school would not be considered a change in use. Adopting a set of categories that regulates arts and culture uses separately would



minimize incentives to switch to uses that do not strengthen the arts and cultural fabric and encourage the continued use of spaces in support of arts and cultural activity.

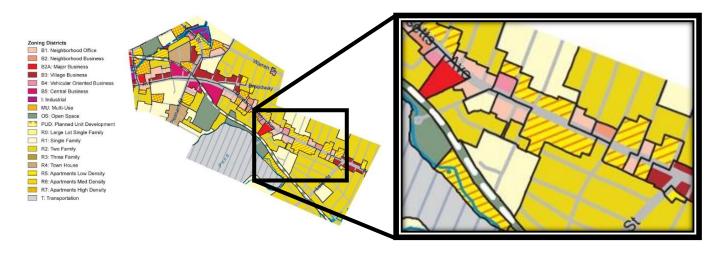
Use Category	Residential RO-R7	Nhd Office B1	Bus. Districts B2-B5	Multi-Use Districts MU	Planned Unit Developments PUD	Industrial Districts
Institutional and Educational						
ART.2, STM 9/04 2.01 Community center, youth club, adult education center, settlement house or other similar facility operated by an educational, religious or non-profit institution	SP	SP	SP (Not allowed in B2A, B4)	SP	SP	No
ART.2, STM 9/04 2.02 Private club or lodge operated not for profit and for members only	No (SP in R3, R5-R7)	SP	SP (Yes in B4)	SP	SP	SP
ART. 15, ATM 5/91; ART. 5, ATM 4/00 2.05 Church, place of worship or other religious purpose	SP (R5-R7 Yes)	SP	SP (Not allowed in B2A, B4)	SP	SP	No
ART. 68, ATM3/77 2.08 School, college or other institution, such as a trade, driving, music, dancing, martial arts or professional school conducted as a private gainful business	No	No	Yes	No	Yes	No
ART. 5, ATM 4/88 2.10 Library, museum or art gallery open to the public or connected with a permitted educational use and not conducted as a private gainful business	SP	SP	SP (Not allowed in B4)	No	Yes	No
Public, Recreational, and Entertainment			T	,	Ţ	T
ART. 2, STM 9/04 4.09 Outdoor amusement park, theater, sports facility, or recreational facility conducted for a profit	No	No	No (SP in B2A- B3)	No	No	No
4.11 Indoor motion picture theater	No	No	SP	No	SP	No
ART. 86, ATM 4/80; ART.2, STM 9/04 4.10 Enclosed entertainment and recreation facilities including a bowling alley, health club, skating rink or other recreation activity conducted for a profit	No	No	No (SP in B2A- B3)	No	No	No

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ART.2, STM 9/04 4.12 Enclosed entertainment and recreation facilities not conducted as a private gainful business	SP	SP	SP	SP	SP	SP
Eating and Drinking Uses	<u>I</u>		1	l	<u> </u>	
ART.2, STM 9/04 6.12a Restaurant, including but not limited to lunchroom, cafeteria, under 2,000 square feet gross floor area	No	SP	Yes (Not allowed in B4)	SP	Yes	Yes
ART. 68, ATM 3/77 6.12b Restaurant, including but not limited to lunchroom, cafeteria, more than 2,000 square feet and all restaurants that are the principal use on lot greater than 10,000 square feet in area	No (SP in R7)	No	SP	SP	SP	No

4) Considerations for the Cultural District



The proliferation of cultural assets throughout the cultural district suggests that the underlying zoning is preserving opportunities for those uses to establish themselves. Some effort should be made to ensure that the zoning is not creating unintentional gaps in activity that prevent the area from becoming a cohesive whole. The stretch of Massachusetts Avenue that links the cluster of activity and assets in Arlington Center with the smaller cluster of restaurants and creative businesses in East Arlington deserves particular focus. Unlike in the rest of the district, where Village Business and Central Business districts predominate, this stretch is marked by Medium Density Apartment Districts and Neighborhood Office Districts. Within the Neighborhood Office District, "predominant uses include one- and two-family residences, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. With most locations on or adjacent to Massachusetts Avenue, the district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher density, more active areas along the Avenue." (ART. 6, ATM 4/16). Medium Density Residential districts are characterized by four-story apartment buildings with some office. Uses that "detract from the desired residential and office



character... are discouraged." (ART. 91, ATM 3/79). The impact of this zoning along Massachusetts Avenue is to discourage the kinds of activity-generating arts and cultural uses that would help establish the look and feel of a cohesive cultural district. If the town's goal is to establish a cohesive district within the current boundaries of the district, it may wish to explore changes to the underlying zoning to allow specific arts and cultural uses in the Neighborhood Office and Medium Density Residential zones that would be acceptable to the community.

Cultural District: Relevant Zoning Distr						
Primary (Pervasive)	Secondary (Scattered)	Tertiary (Minimal)				
R1: Single Family	R7: Apartments High Density	R5: Apartments Low Density				
R2: Two Family	B2: Neighborhood Business*					
R6: Apartments Med Density	B2A: Major Business*					
B1: Neighborhood Office**	B4: Vehicular Oriented Business*					
B3: Village Business*						
B5: Central Business*						

^{*} Districts where Mixed Use structures are allowed by special permit.

Descriptions of Districts within Cultural District Boundaries

R1: Single Family

The Single-Family District is composed of all those areas so designated on the official zoning map. The predominant use is single-family dwellings and public land and buildings. Intensive land uses, uses which would detract from the desired residential character, and uses which would otherwise interfere with the intent of this bylaw are discouraged.

R2: Two Family

The Two-Family District is composed of all those areas so designated on the official zoning map. The predominant use is a two-family dwelling and the district is generally served by local streets only. This district is generally within walking distance of the stores and transportation facilities along Massachusetts Avenue and Broadway. Uses which would detract from the desired residential character, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged.

R5: Apartments Low Density

The Low-Density Apartment District is composed of all those areas so designated on the official zoning map. The predominant use is two- to three-story garden apartments located along or near principal

^{**}Mixed Use structures without retail space are allowed by special permit.

^{***} Mixed Use structures without residential space are allowed by special permit.



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arteries. Small-scale offices would be allowed on principal arteries only. Uses which would detract from the desired residential character, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged.

R6: Apartments Med Density

The Medium Density Apartment District is composed of all those areas so designated on the official zoning map. The predominant use is apartments up to four stories high with offices permitted at a smaller scale. Locations are principally Massachusetts Avenue and Pleasant Street. Uses which would detract from the desired residential and office character, or otherwise interfere with the intent of this bylaw, are discouraged.

R7: Apartments High Density

The High Density Apartment District is composed of those areas so designated on the official zoning map. The predominant use is apartments up to 5 stories high, although offices are also permitted at the same scale. Locations are principally within or adjacent to Arlington center. Uses which would detract from the desired character, such as large-scale retail uses, or otherwise interfere with the intent of this bylaw, are discouraged.

B1: Neighborhood Office

The Neighborhood Office District is composed of all those areas so designated on the official zoning map. Predominant uses include one- and two-family residences, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. With most locations on or adjacent to Massachusetts Avenue, the district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher density, more active areas along the Avenue. Uses which would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged. Mixed use structures without retail space are allowed in this district.

B2: Neighborhood Business

ART. 6, ATM 4/16The Neighborhood Business District is composed of all those areas so designated on the official zoning map. Predominant uses include small retail and service establishments serving the needs of adjacent neighborhoods and oriented to pedestrian traffic. Locations are almost all along Massachusetts Avenue or Broadway. Uses which would detract from this small-scale business character, or otherwise interfere with the intent of this bylaw are discouraged. Mixed-use structures are allowed in this district.

B2A: Major Business

The Village Business District is composed of all those areas so designated on the official zoning map. Predominant uses include retail, service and office establishments catering to both convenience and comparison-goods shoppers and oriented to pedestrian traffic. Mixed-use structures are allowed and encouraged in this district. The three locations include portions of the 28 principal business areas of Arlington: Lake Street, Arlington Center, and Arlington Heights. Businesses which consume large amounts of land and activities which interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

B3: Village Business



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The Village Business District is composed of all those areas so designated on the official zoning map. Predominant uses include retail, service and office establishments catering to both convenience and comparison-goods shoppers and oriented to pedestrian traffic. Mixed-use structures are allowed and encouraged in this district. The three locations include portions of the 28 principal business areas of Arlington: Lake Street, Arlington Center, and Arlington Heights. Businesses which consume large amounts of land and activities which interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

B4: Vehicular Oriented Business

The Vehicular Oriented Business District is composed of all those areas so designated on the official zoning map. Uses include establishments primarily oriented to automotive traffic which require large amounts of land in proportion to building coverage; or establishments devoted to the sale or servicing of motor vehicles, the sale of vehicular parts and accessories, and service stations. Arlington has an overabundance of automotive and automotive accessory sales and service establishments; thus when one of these businesses closes, the conversion of the property to other retail, service, office or residential use is encouraged, particularly as part of mixed-use development, which is allowed in this district.

B5: Central Business

The Central Business District is composed of all those areas so designated on the official zoning map in Arlington Center. It includes retail, service, and office uses, and provides for large-scale development. The scale is intended to reinforce the Center's role as the focus of activity in Arlington. Mixed-use development is encouraged, such as the combining of residential and business uses. Activities shall be oriented to pedestrian traffic and to centralized parking. Businesses which consume large amounts of land and interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

GENERAL REGULATIONS AND PROCEDURES RELATED TO ARTS AND CULTURE

1) Town Bylaws:

- a) Article 12 Noise Abatement, Section 3.Daytime-Only Activities. The following acts are specifically prohibited.
 - i) B. Loudspeakers. Operating or causing to be operated a public address loudspeaker, whether mobile or stationary, after 9:00 P.M. or before 8:00 A.M.
- b) Article 12 Noise Abatement Section 4. Maximum Sound Levels.
 - i) A. Sound Measurement. When a sound source is located in public spaces, sound measurements shall be made at, and sound level determination made in relation to, any location lawfully accessible to the public. When the sound source is located on private property, sound measurements shall be made at the boundary line of such property or as close thereto as is feasible.
 - ii) B. Sound Limitations. No person or persons owning, leasing, or controlling the operation of any source or sources of sound shall permit, either willfully, negligently, or by failure to provide necessary equipment or facilities or to take necessary precautions, the production of sound with a sound level greater than 85 dB(A) at any time, other than sounds associated with construction or maintenance work.

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The maximum decibel level of 85dB(A) is significantly higher than in surrounding communities and is unlikely to be a major contributor to limiting entertainment and nightlife in town. The prohibition on the use of loudspeakers after 9:00pm may be a bigger factor. Other communities manage sound restrictions according to zoning district, time of day, and length of sound emittance. In Cambridge, the highest maximum allowable dB(A) is 70 in industrial areas anytime and the lowest is 50 dB(A) in residential areas between 6pm and 7am. A noise ordinance that provides for a range of allowable decibels in different areas at different times may create better protection from noise pollution for residential areas while allowing for zones of nighttime activity. Currently the noise ordinance bylaw exempts activities and events that have obtained permits from the loudspeaker restriction. This exemption and the related permitting process should be clearly communicated and facilitated as appropriate to facilitate desired nighttime arts and cultural activities.

2) Permits:

- a) Board of Selectmen:
 - i) Sidewalk Café Permit
 - (1) http://www.arlingtonma.gov/departments/planning-community-development/permitting-regulations
 - ii) Block Party
 - (1) http://www.arlingtonma.gov/services/applications-regulations-permits
 - iii) Common Victualler License
 - (1) http://www.arlingtonma.gov/services/applications-regulations-permits
 - iv) Special One Day Liquor License
 - (1) http://www.arlingtonma.gov/services/applications-regulations-permits
 - v) Street Performer Application
 - (1) http://www.arlingtonma.gov/services/applications-regulations-permits
- b) Department of Planning and Community Development:
 - i) Sign Permit
 - (1) http://www.arlingtonma.gov/departments/inspectional-services/sign-permitprocess
- c) Zoning Board of Appeals/Arlington Redevelopment Board
 - i) Zoning Use Special Permit Application http://www.arlingtonma.gov/home/showdocument?id=24803
- 3) Special Permit Criteria
 - a) Indicate where the use requested is listed in the Table of Use Regulations as a Special Permit
 - b) Describe how the requested use is essential or desirable to the public convenience or welfare
 - Describe how the requested use will not create undue traffic congestion, or unduly impair pedestrian safety
 - d) Describe how the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare
 - e) Describe how any special regulations for the use, set forth in Article 11, are fulfilled.
 - f) Describe how the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.
 - g) Describe how the requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

Arts&Culture Action Plan



Appendix E: Town Activities and Advancing Action Plan Goals & Strategies as of July 2017

This section includes information about the following studies, initiatives, and bylaws that are illustrative of current arts and culture initiatives being overseen by the town.

- TDC Organizational Assessment report
- Arts Revitalizing Town Storefronts Call to Artists flyer
- Vacant Storefront Bylaw art guidelines
- Map of proposed Arlington Cultural District
- PATHWAYS: Art on the Minuteman Bikeway

The organizational assessment from TDC is an effort to eliminate redundancies between arts and culture organizations in town. This study aims to help the town deploy the Arts and Culture Action Plan in the most efficient way possible and to maximize volunteer and staff resources across multiple organizations and the town.

The Arts Revitalizing Town Storefronts (ARTS) call to artists flyer and the Vacant Storefront Bylaw art guidelines are documents that illustrate the town's efforts to turn vacant commercial properties into pop-up art exhibit space as part of the Registration and Maintenance of Vacant Commercial and Industrial Buildings bylaw.

The Town of Arlington has submitted materials to the Massachusetts Cultural Council requesting designation of an area town as a Cultural District. Enclosed is a map of the proposed Arlington Cultural District, which stretches from East Arlington's vibrant arts community to the bustling town Center. Anchored by two theatres and connected by Massachusetts Avenue and the Minute Man Bikeway, the proposed Arlington Cultural District would be a destination for arts and culture in the town.

In addition to the four items above, in spring of 2017 Arlington Public Art (APA) commenced work on PATHWAYS: Art on the Minuteman Bikeway, a new initiative aimed at celebrating the 25th anniversary of the bikeway through a commissioning of temporary works of public art.

Arlington Arts Agencies Study Final Report July 7, 2017 TDC Prepared by TDC

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Introduction

In January 2017, the Town of Arlington embarked on a study to understand five Town-associated agencies that pursue arts and cultural activities. This study was planned as a supplement to the concurrent process being conducted by the Metropolitan Area Planning Council (MAPC) to create the Arlington Arts and Culture Action Plan.

The scope of this study included the review of the following five agencies:

- Arlington Commission on Arts and Culture (ACAC)
- Arlington Committee on Tourism and Economic Development (A-TED)
- Arlington Cultural Council (ACC)
- Arlington Public Art (APA)
- Cultural District Managing Partnership (CDMP)

In the course of the study, one additional organization was added to the inquiry:

• Arlington Center for the Arts (ACA)¹

The key questions to be addressed by the study were the following:

- What are the mission and goals for each of the agencies in question?
- What kind of organizational infrastructure do the agencies have to carry out their goals?
- Is there opportunity for improved coordination among the agencies?

To facilitate this work, the Town Planning and Community Development Department hired Juliana Koo of TDC, a Boston-based nonprofit research and consulting firm, to assist in answering these questions.

This document records the results of the study, and includes the methodology used by TDC, the summary of research findings, and recommendations. The study and its recommendations will be key inputs into an organizational planning process to be pursued by ACAC in the fall of 2017.

¹ It is important to note that the ACA is, unlike the other five agencies, a private nonprofit organization, though it is associated with the Town through a facility lease.

Methodology

To conduct the study, TDC pursued the following process of research and discussion.

Initial research (January)

- Review of secondary literature on local arts agencies and arts service organizations
- Review of initial materials on the MAPC process
- Information gathering on potential benchmark cities
- Articulation of Round I interview questions

First convening (February 2)

TDC presented the above research to ACAC in February. Lisbet Taylor from ACC was a guest at that meeting. Jenny Raitt and Julie Wayman from the Department of Planning and Community Development also participated. During the meeting, we agreed to a framework for inquiry.

Round I interviews (February-March)

TDC interviewed the following representatives from the agencies:

- Adria Arch, APA
- Stephanie Marlin-Curiel and Barbara Costa, ACAC
- Angela Olszewski and Tom Davison, A-TED
- Linda Shoemaker, ACA
- Aimee Taberner and Andrea Nicolay, CDMP
- Lisbet Taylor, ACC

Benchmarking research (April-May)

TDC interviewed the following individuals to inform the benchmarking research:

- Janet Silver, Chair, Concord Local Cultural Council
- Jessica Allan, City Planner and Coordinating Committee Member, Easthampton City Arts+
- Jen Glockner, Director, Office of Cultural Affairs, City of Pittsfield
- Greg Jenkins, Executive Director, Somerville Arts Council

Round II interviews (June)

TDC interviewed the following representatives from the agencies:

- Adria Arch, APA
- Stephanie Marlin-Curiel, ACAC
- Aimee Taberner, CDMP
- Lisbet Taylor, ACC

TDC also spoke with Jenny Raitt, and was given the opportunity to review the emerging Arts and Culture Action Plan.

Final convening (June 12)

The following individuals participated in the final convening:

- Adria Arch, ACAC and APA
- Ali Carter, Department of Planning and Community Development
- Barbara Costa, ACAC
- Joseph Curro, Jr., Board of Selectmen
- David Harris, ACC
- Jonathan Hyde, ACAC
- Asia Kepka, ACA
- Stephanie Marlin-Curiel, ACAC
- Andrea Nicolay, Arlington Public Library and CDMP
- Steve Poltorzycki, ACAC
- Jenny Raitt, Department of Planning and Community Development
- Linda Shoemaker, Arlington Center for the Arts and CDMP

Summary of Findings

Initial Research

TDC reviewed information about Local Arts Agencies (LAAs) and Arts Service Organizations (ASOs) to determine a framework for the study.

- As defined by Americans for the Arts, **Local Arts Agencies** "promote, support, and develop the arts at the local level ensuring a vital presence for the arts throughout America's communities.... [E]ach LAA, in its own way, works to sustain the health and vitality of the arts and artists locally, while also striving to make the arts accessible to all members of a community."
- As defined by the Massachusetts Cultural Council, **Arts Service Organizations** are "organizations that provide vital services to a particular discipline or segment of the cultural community but are not themselves involved in the creative process."

TDC reviewed two reports to form a framework for understanding the span of activities taken up by LAAs and ASOs:

- Arts Service Organizations: A Study of Impact and Capacity (The Boston Foundation, 2005)
- Local Arts Agencies in America: 2015 Local Arts Agency Census (Americans for the Arts, 2016)

Based on review of these reports, TDC determined the following range of activities undertaken by LAAs and ASOs at large.

Туре	Local Arts Agency	Arts Service Organization
Advocacy & Policy	Policy Creation	Lobbying, Campaigns, Protests
Financial Support	Grants, Sponsorship, Financing	Grants, Scholarships
Visibility	Community-wide marketing, calendars, festivals, cultural tourism	Audience development, discount tickets, joint advertising
Services	Fiscal sponsorship, backoffice support, training	Professional development, group services, health insurance, legal
Partnerships & Planning	Cultural planning, interface with other public agencies, civic identity	None
Convening & Networking	None	Conferences, meetings
Facilities	Develop and operate cultural facilities	None
Programs & Events	Arts education programs, Festivals, Public Art, Historic Preservation	None

Information & Research	None	Directories, Databases, Libraries, Research studies, Publications, Websites, Surveys
------------------------	------	--

The Americans for the Arts report also included the following useful information, based on their 2015 census of LAAs:

- The census included responses from 1,127 LAAs out of 4,377 known entities. Large and mid-sized entities are better represented among the respondent sample than small ones.
- 71% of respondents were private nonprofits.
- 23% of organizations with budgets of under \$100,000 have at least one full-time paid staff person.
- 78% of respondents present cultural programming, and 50% provide grants to other organizations for this purpose.
- 75% of respondents collaborate by "working together to plan, fund, and implement programs"
- The census includes a section on advocacy and strategic messaging, noting that the following constituencies resonated with different sets of messages:
 - Elected officials: 1. Economic impact, 2. Arts and community development, 3.
 Arts education
 - o Business leaders: 1. Economic impact, 2. Benefits to business, 3. Arts and community development
 - o Private funders: 1. Arts education, 2. Improving quality of life, 3. Community livability
 - o Individual donors: 1. Arts education, 2. Quality of life, 3. Arts for arts' sake
- The census includes a section on services for different constituencies by size of resident population. Among LAAs serving communities of 100,000 or fewer residents:
 - Top services to arts organizations: Publicity and/or promotional services (37%), Facility space (37%), and Grants/financial support (32%).
 - o Top services to artists: Exhibit and/or performance opportunities (59%), Exhibit and/or gallery space (54%), Information (47%).
 - O Top services to the general public: Online calendar of cultural events (63%), Artistic workshops/classes/seminars (61%), Public performances (58%)
- 30% of respondents provide grants to both organizations and artists, 19% support only organizations, 5% support only artists.
- 59% manage at least one cultural facility
- Of respondents that are public entities, 79% of their funding comes from government support.
- 16% of respondents receive funds from a local option tax. Of these, 66% receive funding from hotel occupancy tax.

Round I Interviews

In TDC's initial round of interviews with agency representatives, we noted the following distribution of missions, budgets, and activities:

	Primary Mission	Budget	Infrastructure Activities: Policy, Funding, Facilities	Programmatic Activities: Program, Marketing
ACAC	Advocate for arts to Town	FY2018 \$25,000	Arts policy and cultural plan, Catalogue cultural assets, Arlington Alive convening	
ACC	Distribute grants	FY2017 \$12,300 grants, \$615 admin, FY2016 \$12,200 grants, \$615 admin	Responsive grants	
CDMP	Support and promote arts assets in Cultural District	\$0	Cultural district designation	
АРА	Enrich Arlington through public art projects	FY2016 \$11,175, FY2017 partial (7/16- 2/17) \$19,541		Chairful, Storefront Stories, Parks exhibits, Transformer boxes
A-TED	Promote tourism and ec dev – arts as one strategy among others	FY2017 \$500 Arlington Alive Festival (town budget), \$2,500 for Visitors Booth		Arlington Alive (transfer to ACAC), Visitors Booth
ACA	Transform lives and build community through the arts	FY2015 \$557,324	Rentals: (performance venue, studios), Busker license connections, band database	Classes/camps, Events: Open Studios, Porchfest, etc., Gallery

It is important to note that each of the public agencies has a distinct focus on either infrastructure or programmatic activities. ACAC, ACC, and CDMP are primarily infrastructure focused, while APA and A-TED are both focused on programs. It is also notable that the missions for most of the agencies focus more on activities rather than impact. The most often mentioned impact was economic, which interviewees observed was more about securing the Town's commitment than the intrinsic intention for arts activity. Having a broad discussion about intended impacts was a desire.

Overall, we found that the level of arts activity has stepped up strongly in the past few years. Increases in both support from the Town administration and volunteer energy have combined to create new arts events, projects, and entities. While this boom in activity has been exciting, it is also true that sweat equity has taken a toll on volunteers. Many interviewees cited the need for dedicated staff support.

Interviewees noted that staff were needed not only for capacity reasons but also there are a number of situations where it is not appropriate for the Town to rely on volunteers. These situations included fundraising (which needs expertise), installation of public art (due to structural and human safety issues), and coordination of major events (which needs sustained leadership and energy). The issue with major events was identified in two different examples, Chairful and the Arlington Alive Festival. Both of these popular events were conceived and organized primarily through the energy of a single volunteer. While the initial success was exhilarating, in both cases the volunteers found it challenging to shoulder the burden for more than a few years. It should be noted that the Town has provided small amounts of funding to support Arlington Alive. However, leadership has remained in the hands of volunteers. A more successful example of investment from the Town is in APA's Storefront Stories project, which was executed by a paid contractor, Cecily Miller. Cecily not only organized the event but also raised funds to support its expenses.

At the same time, TDC maintains that it is important for Arlington to maintain a way for resident-driven ideas to be piloted. While some ideas may have a naturally short lifespan, others may demonstrate longer-term importance and value. Having a way for residents to bring their creative energy to the table keeps the Town's arts program relevant to the changing tastes and needs of the community. It also gets new volunteers engaged. At the same time, managing a process of resident ideas is another reason to have dedicated staff, who can guide inexperienced volunteers and who has the expertise to help determine which ideas have long-term merit.

TDC's interview with ACA resulted in a new model for identifying resources for paid staff. The ACA does not have dedicated fundraising staff at this time. However, they have recently uncovered a new pool of individual donors, through a capital campaign it is completing for the build-out of their new space. It may be possible to create a new position that works for ACA as a fundraiser, cultivating their new donor pool to stay as annual supporters, and also for ACAC as an Arts Officer.

Finally, another commonly cited need was that of a townwide website and events calendar that can communicate Arlington-based arts events to regional cultural audiences. This website was seen as another reason for dedicated paid staff.

Benchmarking Interviews

To help formulate models for Arlington, TDC investigated how other communities structure their municipal arts activity.

TDC interviewed representatives from four municipal arts agencies:

- Concord Cultural Council (CCC). A volunteer council that operates in a similar fashion to the Arlington Cultural Council. No oversight or staffing by any town department or agency.
- Easthampton City Arts+ (ECA+). A volunteer commission that is staffed by an Arts Coordinator and is overseen by the planning department. Programs cover several citywide festivals, a weekly Artswalk event, grantmaking, and public art. The programs are each run by their own sub-committees, all coordinated by the Arts Coordinator.
- Pittsfield Office of Cultural Development (OCD). A staff-run and led office that reports directly to the Mayor of Pittsfield. Cultural Development staff are the City liaisons with the Tourism Commission and the Cultural Development Committee.
- Somerville Arts Council (SAC). A staff-run and led city department that reports directly
 to the Mayor of Somerville. The Arts staff coordinate the volunteer Arts Commission,
 which oversees grantmaking.

These agencies demonstrate a spectrum of commitment to the arts pledged by their respective municipalities.

	Concord	Easthampton	Pittsfield	Somerville
Total Budget	\$6,500	\$90,000	\$150,000	\$589,000
Budget from Municipality	\$2,000	\$30,000	\$110,000	\$500,000
Paid Staff	0	1	2	5
Budget for Staff	0	\$40,000	\$83,000	\$341,000
Serves as LCC? ²	Yes	Yes	No	Yes
Cultural district present?	Yes ³	Yes	Yes	No

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² LCC stands for "local cultural council." A local cultural council is an entity that receives funding from the Massachusetts Cultural Council to regrant to local cultural programs.

³ While Concord does have two designated cultural districts, our interviewee was not aware of it. TDC was not able to interview the Concord Chamber of Commerce, a private nonprofit that manages the districts. Based on review of the Chamber's 2015 Form 990, the organization does not receive support from any public entities, including the Town of Concord.

What is the rationale for each of these agencies? What is driving their existence and programs?

Economic development is a driver in the three larger agencies, though most overtly in Pittsfield. The Pittsfield Office of Cultural Development was started to help the city identify a new economic engine after the departure of GE as a major employer. Arts-focused events have served as a key way for the city to communicate its identity and to push more foot traffic downtown. The OCD's budget includes \$12,000 earmarked for tourism, and the OCD staffs the city's tourism commission.

The economic development message is softer in Easthampton and Somerville. In Easthampton, ECA+ got its start after the town planning department did a study on local artists and found a "hidden economy" there. The drive behind most of the activities conceived of since then has been around visibility and advancement for artists rather than for the town per se.

In Somerville, creative economy has been in the town's lexicon since the early 2000s: so much so, that SAC believes that its artists have become a victim of the city's success. SAC has turned to conceiving of ways for artists to remain able to afford to live and work in rapidly gentrifying Somerville.

In Concord, the CCC is focused on cultural vibrancy, acting as a classic LCC. Interestingly, CCC takes its charge as a regional one, making grants to organizations outside of the town of Concord CCC reasons that town residents attend programs throughout the region.

What types of programs and activities do the agencies conduct on a regular basis?

Concord	Easthampton	Pittsfield	Somerville
No	Artwalk (\$2K),	Third Thursdays	30 events - 20 city
	Buskerfest (\$2K),	(\$20-30K); 10x10	produced, 10
	Bookfest (\$2K),	arts festival (\$15K)	partner produced
	Cultural Chaos		(\$190K)
	(\$10K)		
No	Manages cultural	Manages cultural	No
	district	district	
\$5,000 MCC	\$9K MCC regrants,	None	\$55K - \$35K from
regrants + \$2K	\$2,500 emerging		MCC, \$20K from
from City	artist support		City - orgs, artists,
			field trips
No	Promote their own	Weekly email with	Extensive website,
	events	arts events,	plan online arts
		•	calendar
		their own events	
No	\$10K toward public	Transformer box	Storefront art,
	art projects	project	transformer boxes,
			etc.
No	Online artist	No	Online artist
	directory, public		directory, public
	art inventory		art inventory,
			online resources
No	Workshops	Ad hoc support on	Permitting support
		permitting	
No	Two public	Public gallery and	Artist space
	galleries	studio space	program, Artfarm
	No \$5,000 MCC regrants + \$2K from City No No	No Artwalk (\$2K), Buskerfest (\$2K), Bookfest (\$2K), Cultural Chaos (\$10K) No Manages cultural district \$5,000 MCC regrants + \$2K from City \$9K MCC regrants, \$2,500 emerging artist support No Promote their own events No Online artist directory, public art inventory No Workshops No Two public	No Artwalk (\$2K), Buskerfest (\$2K), Bookfest (\$2K), Cultural Chaos (\$10K) No Manages cultural district \$5,000 MCC regrants + \$2K from City Promote their own events No \$10K toward public art projects No Online artist directory, public art inventory No Workshops No Two public Public gallery and

A few notes on the above activities:

- Festivals and Events In Pittsfield, OCD raises the budgets noted above through grants and sponsorships; these monies get contracted back out to the field to local artists. In Somerville, about \$51K of the \$190K is earned through products, tuition, and vendor fees, \$17K raised from sponsorships, and the rest coming from the city. In Somerville, the SAC has taken on the role of organizing large municipal events: Family Fun Day and the Fourth of July Celebration.
- Public Art In Easthampton and Pittsfield, the arts agency staff coordinate shows and
 events in city-owned and managed art galleries. In Somerville, staff organize visual art
 displays in storefronts and in City hall. Each agency has a transformer box project.
 Easthampton and Somerville maintain extensive online inventories of local public art.
- Grantmaking Easthampton's LCC serves as a sub-committee of the ECA, and continues to offer annual grants totaling to about \$9,000. The ECA has also offered separate grants to emerging artists outside of the MCC regrant funds. Somerville grants over \$60,000 per

- year to organizations, artist fellowships, and school field trips; the city supplements the \$50,000 received from MCC for regrants with another \$15,000-20,000.
- Promotion Agencies focused primarily on promoting their own events. However, Pittsfield does promote other local events through their weekly email blast, and Somerville includes links to local arts organizations on their website. Somerville is planning to organize a local arts calendar.
- Technical assistance Easthampton was the only agency that had artist capacity building workshops. Somerville and Pittsfield mainly saw their role as helping arts organizations and artists work with the government on getting approvals and permits for arts-related projects.
- Facilities Both Easthampton and Pittsfield run public galleries; Pittsfield also have artist studios that it manages. Somerville manages an artist live/work space program through a new zoning rule that mandates the creation of cultural spaces in new city development, and is developing a creative placemaking project, ArtFarm. It sees its role as helping artists combat the effects of gentrification.

Where are these agencies situated in their town governments?

Pittsfield's OCA and Somerville's SAC are both city agencies that report directly to the mayor. Easthampton's ECA+ operates under the aegis of the planning department; its sole staff person reports to the head of planning. Concord's CCC is a Town-appointed council of volunteers.

Are there other arts agencies present?

- In Concord, the Cultural Council is the sole public arts-focused agency.⁴
- In Easthampton, ECA gained the "+" 6 years ago when the LCC became a sub-committee under the ECA.
- Somerville Arts Council has always served as the LCC. The Parks and Recreation Department also oversees some youth arts activities, as does the library.
- In Pittsfield, the LCC was maintained as a separate volunteer-run agency because it works and its role is distinct enough from the OCD to maintain a separate identity.

⁴ As noted above, the two cultural districts are managed by a private nonprofit, the Concord Chamber of Commerce.

What is the role of staff? What is the role of volunteers?

	Staff	Volunteers		
Easthampton	 Arts Coordinator supervised by town planning department, whose director sits on the coordinating committee of the ECA. Salary is \$40,000 (not counting value of benefits). Attends and staffs all meetings of coordinating committee and sub-committees, and coordinates work among committee members Manages social media and handles promotion of ECA events Coordinates shows in three galleries, and staffs two of them Grantwriting Manages ECA budget and purchasing for arts events 	Sit on the coordinating committee and sub-committees and do tasks as agreed upon		
Pittsfield	 Two staff people – Cultural Office Director (\$53K) and Administrative Assistant (\$30K) Assistant manages the gallery and coordinates Third Thursdays Director does the networking, attends meetings, and is the primary marketer; gets sponsorships and raises funds; coordinates bigger projects Contractor produces weekly email blast 	 Serve on Cultural development board and Tourism Commission – these are people in their institutional capacity, not regular residents Interns staff gallery 		
Somerville	 Five staff people Director: planning, fundraising, grantmaking (\$91K) Cultural director: grantmaking, arts special projects/programs (\$66K) Events director: event coordination, civic events (\$62K) Youth Arts Coordinator (\$72K) Office manager/program associate (\$50K) 	 Board chairs grantmaking panels Staff big festivals 		

Is there a cultural district? What is its role?⁵

Among the four, Pittsfield was the only one that wholeheartedly endorsed the cultural district concept. OCD sees the cultural district as a focal point for the city's arts activities and gives people the signal that the city cares about the arts. The OCD's office sits in the middle of the cultural district, and gives it the imprimatur as the leader of the city's cultural community.

In Easthampton, ECA manages the Cottage Street Cultural District. It was the central focal point for ECA's two main programs: Artwalk (monthly programs) and Cultural Chaos (festival). ECA reports that there has been a lot of turnover among the small businesses in the district, and the group has lost its core. They are currently surveying the local businesses to see what value they think the district could bring.

In Somerville, the SAC has never felt the need to apply for the designation. The city is already known as a local creative place. In some ways, they believe that Somerville has already outgrown the value that a cultural district could bring at this point. However, if new legislation is passed that allows cultural districts to collect funds like a Business Improvement District, they may change their minds.

What is the role of the city in the agencies' funding?

- Concord: The Town began matching MCC regrant funds with \$2,000 three years ago. No other funds are provided.
- Easthampton: The City contributes most of the Arts Coordinator's \$40,000 salary (plus provision of benefits, at a value not quantified), or roughly one third of the budget. In prior years, MCC's Adams Grant program provided one third of the budget, and ECA raised the remaining third. With the demise of the Adams Grant program, ECA plans to raise two thirds of its budget. While fundraising has increased in the past year, there is no clear assurance that ECA will be able to produce \$60,000 toward its costs, and the Coordinator has already begun to shave costs off the budget.
- Pittsfield: The City contributes all of OCD's core operating costs, including staff and a small budget toward promotional costs and contracted labor. OCD raises funds for its programs through fundraising and sponsorships.
- Somerville: The City contributes all of SAC's core operating costs and also provides support for a large portion of programs including funds toward grantmaking. SAC for its part does raise funds toward programs and in the past year has been raising substantial funds toward its placemaking project, ArtFarm.

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⁵ TDC did not receive any information about Concord's cultural district from our interviewee.

Implications for Arlington

Staffing. Easthampton is the most analogous situation to Arlington with the addition of a staff member. The Easthampton model, however, is hampered in several ways:

- The gallery program is a distraction in addition to coordination, the staff person needs to fill and staff three galleries. This means that she comes to the committees with an already full plate. A high risk of burnout exists here.
- The city does not fully support the staff position with the demise of the Adams Grant program, the Arts Coordinator will need to spend more time covering her salary rather than coordinating arts activities.
- The position is not paid enough there is high turnover and uneven skills in the position. The planning director and coordinating committee chair had to step up to fulfill the duties of the role for a season while they worked to fill the vacancy.

For Arlington, we recommend that a staff position be compensated at a higher level than coordinator – a marketing person with events experience would have greater skills to negotiate sponsorships and to think strategically about how the activities can add up to greater impact.

Grantmaking. In both Easthampton and Somerville, the LCC function has been subsumed into the larger whole. These examples show that it would be possible for the Arlington Cultural Council to be integrated into ACAC.

Mission articulation. In Somerville, TDC notes that the mission for SAC extends beyond economic development to one of cultural vibrancy, which allows consideration of programs that focus on issues such as the effect of gentrification on artists. Pittsfield, on the other hand, focuses on economic development and tourism. Arlington's various agencies lean toward economic development with some mention made of general cultural vibrancy. Does Arlington have a prioritization on these two elements of its mission?

Recommendations

TDC prepared a summary presentation of the findings and a framing document to facilitate the final meeting, which was held on June 12. The agenda of the meeting was to discuss the implications of the findings, shared ideas on impact and outcomes for Town-led arts activities, and potential changes to structure and staffing. TDC reflected on the results of this discussion to present the following recommendations.

Impact

TDC identified three key areas of impact: Community Impact, Economic Impact, and Legacy. The group concurred with these three broad areas. We came to a shared understanding of the key elements of each of these areas of impact, as shown below:

Community Impact	 The arts help make Arlington a great place to live. Vibrant cultural offerings that enhance residents' quality of life, and encourage their participation. Beautiful and engaging public spaces that promote residents' happiness and well being. Strongly supported community of local artists and arts organizations. Increased social capital; capacity to nurture and engage in the community; civic engagement.
Economic Impact	 The arts help build Arlington's reputation as a great place to visit, work, and run a business. Thriving local businesses and arts organizations that attract investment into Arlington through tourism and employment opportunities. Strong perception of Arlington has a cultural destination.
Legacy	The arts are supported to ensure that Arlington remains a great place for our children and grandchildren. • Well maintained infrastructure of cultural assets. • Inclusive and equitable access to the arts for all. • Broad awareness of Arlington's arts and cultural history and identity. • Formal processes that encourage effective and inclusive town-wide collaboration.

Logic Model

The discussion turned to thinking about what activities, outputs, and outcomes might lead to those impacts.

Activities	Outputs		Outcomes		Impact
Smart and	Arts and Culture Action PlanProcess for		Increased participation from residents and visitors in Arlington's arts offerings		
 supportive arts policy and coordinated processes prioritizing program ideas put forth by residents Coordinated 	program ideas put forth by residents	Vibrant public spaces		Community Impact	
	marketing and programs		Arlington artists are supported to create great art		
	 Engaging, well- marketed 		supported to create great art		
projects, programs, and resources for festivals that	projects, programs, and festivals that	\Rightarrow	Enhanced perception of Arlington as a great place to live and visit	\Rightarrow	Economic Impact
	arts activities showcase Arlington arts organizations and artists		Economic benefit for local businesses, arts organizations, and artists		
Demonstration of the value of	Cultural asset inventoryImpact data		Prioritization of the arts and culture as important elements of the town		
the arts for collected • Program evaluated		Satisfaction, fulfillment, and robust participation of civically engaged residents		Legacy	

Structure and Staffing

TDC created the following analysis of what activities and outputs that the current structure can support and what elements are not yet possible.

Activity	Outputs	Existing activities/ outputs	Potential activities/ outputs
Smart and supportive arts policy and processes	 Arts and Culture Action Plan Process for prioritizing program ideas put forth by residents Coordinated marketing and programs 	 ACAC and CDMP meetings ACAC Arts and Culture Action Plan completed 	 Formal process for decision making and planning Coordinated online arts calendar Annual program and marketing plans
Provision of resources for arts activities	 Engaging, well- marketed projects, programs, and festivals that showcase Arlington arts organizations and artists 	 ACC-supported programs APA programs (Cecily) Arlington Alive festival ACA Porchfest, Open Studios Programs in space rented from ACA 	 Strategic fundraising Dedicated funding stream⁶ Dedicated capacity to plan town-wide/CD events Expansion of public cultural facilities⁷
Demonstration of the value of the arts for Arlington	Cultural asset inventoryImpact dataPrograms evaluated	Arts and Culture InventoryACA band database	Collection of impact data and evaluation ⁸

To effect the potential activities and outputs, TDC recommends:

Events calendar

Noting the common agreement that a townwide arts calendar was critical, TDC recommends the adoption of ArtsBoston.org syndication. ArtsBoston is an arts service organization that serves Greater Boston. A number of years ago, it created an online arts calendar, based on the request of its membership. Arts organizations were dissatisfied with existing online listings, such as Boston.com, which were often not geared toward the arts. ArtsBoston joined the Artsopolis

⁶ It was suggested that a dedicated funding stream be pursued. One idea was to provide residents with the opportunity to make a voluntary contribution through the town water bill. Such a fund already exists to raise funds for a scholarship fund.

⁷ An element included in the Arts and Culture Action Plan.

⁸ An element included in the Arts and Culture Action Plan.

platform. Artsopolis was custom built for use as an arts calendar by Silicon Valley Creates, an arts service organization in San Jose, CA.

Through a syndication agreement, ArtsBoston can create a filtered version of the arts calendar, allowing an organization to show a subset of events on the total calendar. Organizations and artists can post their events for free – eliminating the need for a staff person to collect and post events. An additional benefit for those who post events is that their events will appear on ArtsBoston.org as well as other syndicated calendars. ArtsBoston is currently negotiating relationships with WBUR and Boston Magazine.

According to John Beck, ArtsBoston's Deputy Director, syndication involves a setup fee, which could range from \$0-2,500 depending on the level of customization required. There is also an annual fee, which would range from \$2,500-5,000. These costs compare favorably to hiring even a part-time staff person to operate the calendar.

TDC recommends that Arlington pursue a syndication agreement that will allow the events calendar to appear on multiple websites, including that of ACAC, the Library, the Chamber of Commerce, and the Town. John mentioned that they are developing the ability to have a micro version of the calendar for this purpose.

Staff

TDC believes that a staff person is necessary to coordinate the remaining activities and outputs, some of which are noted as key elements in the Arts and Culture Action Plan. The proposed duties for the Arlington Arts Officer are:

- Works with arts agencies, arts organizations, artists, and the community at large to implement the Arts and Culture Action Plan.
- Administers funds for arts agencies and provides guidance on budgeting.
- Facilitates discussion with volunteer committees and town officials regarding arts policy, maintains documentation, and coordinates implementation with committees.
- Facilitates program planning with volunteer committees to identify annual activities.
 - o Include public process in planning every two years.
- Coordinates townwide and CD programs/festivals, including management of subcontractors, fundraising, and marketing.
- Coordinates data collection, cultural asset inventory, and evaluation of programs.
- Coordinates Arlington Arts website and events calendar.

As found in the benchmarking process, TDC believes that the Arts Officer should be a highly skilled and experienced professional. The Arts Officer should possess proven expertise in fundraising, program development, marketing, facilitation, and board management. TDC also recommends that the salary and benefits for the Arts Officer be guaranteed to avoid the pitfalls experienced in Easthampton. To attract the most qualified applicants, the position should include a benefits package. If the Arts Officer is hired on soft money, TDC believes that he or she will be focused on fundraising toward salary expense rather than executing toward impact. Finally, TDC

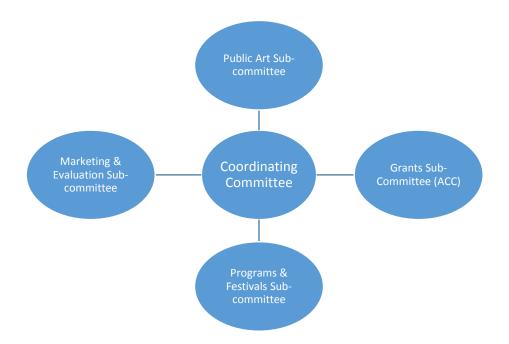
recommends that the Arts Officer's duties be focused on planning, facilitation, relationship building, marketing, and fundraising, rather than the nuts and bolts of program execution. Contractors such as Cecily Miller should continue to be hired to manage the direct activities related to programs. ACA is another option for a program contractor. ACA is already experienced in successful townwide programs, such as Open Studios and Porchfest. The Town could contract with ACA to manage programs such as the Arlington Alive Festival.

TDC supports the idea of coordinating a joint hire with ACA for the following reasons:

- If the Town is unwilling or unable to provide enough funds to hire a highly skilled and experienced professional, enough funds may be found through a joint arrangement even if it is implemented through two separate contracts.
- Shared fundraising capacity can sometimes result in conflict. TDC believes that this risk may be mitigated in this case since ACA's donor pool is focused on individuals while that of the Town will most likely be composed of foundations, public agencies, and corporations. If the Arts Officer has experience as a consultant, than he or she will be skilled in managing multiple relationships.
- ACA's new space will be leased from the Town through the Planning and Community
 Development Department. Since these two entities already have a relationship, it may
 make it easier for the Arts Officer to manage the joint position.
- As the ACA's lessor, the Town has an interest in ACA developing a more robust revenue stream. The work of the Arts Officer to build ACA's fundraising for annual operations will enhance ACA's ability to maintain its lease.

Structure

TDC presented three options for structure at the June 12 meeting. The group created a fourth idea, illustrated below.



Since there is so much overlap between ACAC and CDMP – both in terms of membership and intended activities – TDC recommends that these two entities merge. This merger will avoid confusion and duplication of efforts. It will also reduce the number of meetings and inter-agency communication required. In addition, TDC recommends that APA and ACC also merge with ACAC, and conduct their activities as sub-committees of ACAC. In this way, it will be easier to ensure that their work is aligned with the overarching logic model as articulated here as well as with the Arts and Culture Action Plan. TDC also recommends that ACAC form two new sub-committees: Programs & Festivals and Marketing & Evaluation. In this structure, the Arts Officer will staff the Coordinating Committee and the sub-committees.

Coordinating Committee. In this structure, ACAC and CDMP merge to form a Coordinating Committee. Membership of the Coordinating Committee should include the current ACAC and core CDMP membership, including representatives from the Planning and Community Development Department, the Arlington Public Library, ACA, and the Chamber of Commerce.

The Coordinating Committee will serve in the function of the executive, finance, fundraising, and governance committees of a board. It will set overarching policy and conduct an annual process to set the year's implementation plan. The annual implementation plan should include:

- A statement of annual goals that tie to the logic model and the Arts and Culture Action Plan, showing how the year's activities will further the Town toward achieving its intended outcomes and impacts;
- An approved list of programs (as recommended by the Programs & Festivals and Public Art sub-committees);
- A schedule including program dates, grant application deadlines (as recommended by the Grants Sub-committee), and key Coordinating Committee and sub-committee meetings;
- Marketing and evaluation plans (as recommended by the Marketing & Evaluation Subcommittee);
- Grant guidelines (as recommended by the Grants Sub-committee);
- A fundraising plan (as recommended by the Arts Officer);
- A recruitment plan for the Coordinating Committee and sub-committee membership; and
- A policy plan that highlights the key policy items ACAC will pursue;
- A budget.

The Coordinating Committee will manage the community-wide partnerships of the Cultural District. At least one Coordinating Committee member should sit on each sub-committee.

Public Art Sub-committee. TDC recommends that APA merge with ACAC to form the Public Art Sub-committee. This sub-committee will be charged with conceiving of, managing, and publicizing an annual slate of public art projects for the Town, with the assistance of the Arts Officer and contracted program staff.

Grants Sub-committee. TDC recommends that ACC merge with ACAC to form the Grants Sub-committee. This sub-committee will be charged with granting funds to Arlington-based arts projects that further the goals and policies set by the Coordinating Committee.

Programs & Festivals Sub-committee. TDC recommends that ACAC form a new sub-committee that oversees programs and festivals. This sub-committee would be charged with reviewing new program ideas and determining which programs should be implemented each year. The sub-committee will work with the Arts Officer to manage contracted program staff and ensure that the programs are executed successfully, including program-related publicity. The sub-committee will also field new ideas for programs and festivals generated by Arlington residents.

Marketing & Evaluation Sub-committee. TDC recommends that ACAC form a new sub-committee that oversees strategic marketing and evaluation. This sub-committee would be charged with helping the other sub-committee determine and track key evaluation metrics for their programs and projects. The sub-committee will collect these data each year and prepare an evaluation report for the Coordinating Committee. The sub-committee will oversee the Events Calendar, and extract data regarding townwide arts activity. The sub-committee will work with the Planning and Community Development Department and A-TED to ensure that the arts are included in townwide marketing efforts, and work with the Arts Officer to coordinate any townwide marketing efforts that focus on broadcasting the message that Arlington is a vibrant cultural destination. It should be noted that this sub-committee will focus on strategic marketing efforts, rather than publicity efforts for individual programs coming out of other sub-committees. The Arts Officer will assist the other sub-committees with program marketing, using common templates to ensure that marketing materials have an aligned and professional look.

Branding and marketing

TDC believes that branding and marketing efforts should be focused on selling Arlington as a cultural destination and specific programs rather than ACAC to the general public. It is critical that stakeholders in Town administration, the Board of Selectmen, program partners, and funders understand ACAC's role. Educational efforts with these stakeholders are best handled through one-on-one communication and participation in meetings, conducted by ACAC members and the Arts Officer. However, for the general public's participation in the town's cultural offerings, no knowledge of ACAC is required. As noted above, the public should not have to know to go to a specific website to view the events calendar. Rather, it should be accessible through all Town websites that have a connection to the arts.

A final note on branding: TDC does recommend that – should the Town adopt the recommended structure – the ACAC, ACC, and APA websites merge with a common look and feel. There should be links to this website from the Library, Town, and ACA sites.

Conclusion

TDC has set forth a recommendation that calls for consolidation of the arts-focused public agencies in Arlington into one agency, ACAC. We believe that this streamlined structure will improve the volunteer experience by streamlining communications, reducing the number of duplicative meetings, and reducing confusion. We also believe that it will allow Arlington arts to make faster progress, by aligning energy toward common goals and impact.

With the addition of an expert, paid, dedicated Arts Officer, ACAC's ability to achieve impact will be even more enhanced. The Arts Officer will further streamline communications, serve as institutional memory, and raise outside funds. More importantly, the Officer will serve as the strategic partner for the dedicated volunteers on ACAC and its sub-committees, guiding their passion and vision toward implementation and impact.

We hope that this report has provided a helpful set of concepts for ACAC to ponder during its fall planning process. TDC has been honored to assist the Town of Arlington in finding a path toward a more effective structure for realizing its commitment to an arts-rich and culturally vibrant community.

ART REVITALIZING TOWN STOREFRONTS (ARTS)

CALL FOR ARTISTS

CONTACT ALI CARTER
ECONOMIC DEVELOPMENT COORDINATOR
ACARTER@TOWN.ARLINGTON.MA.US

Submit a proposal or learn more at arlingtonma.gov/arts



VACANT STOREFONT ART GUIDELINES Town of Arlington, MA

All artwork exhibited in vacant storefronts per Title V Article 16, Section 4(C) of the Town Bylaws will be reviewed by the Department of Planning and Community Development prior to installation. Please fill out attached application and submit to Ali Carter, Economic Development Coordinator, at acarter@town.arlington.ma.us.

Procedures for vacant storefront art installations are as follows:

- 1. Artist completes application and submits it to the Department of Planning and Community Development. The proposal must include:
 - i. Proposal—Brief narrative description of the artwork
 - ii. Design—Images of artwork to be displayed
 - iii. Budget—Include costs for installation, maintenance, removal, and insurance coverage
 - iv. Site Plan—Elevations of storefront display proposal
 - v. Timeline for installation and duration of the project
 - vi. Liability Insurance Certificate
- 2. Optional documents include:
 - i. List of Artist(s), organizations, subcontractors or community members involved in the project
 - ii. Resume or samples of previous work

Unless otherwise specified, Artist is fully responsible for any loss, theft, damage, or injury that may occur during the construction and during the life of the installation. The Artist certifies that this work is original and does not infringe on the copyright or rights of any person and that every effort to ensure quality, durability, and safety of the artwork will be made.

Cost of installation and insurance will be the responsibility of the (circle one)	Artist	Property Owner
Maintenance will be the responsibility of the the (circle one)	Artist	Property Owner
Liability will be covered by insurance belonging to the the (circle one)	Artist	Property Owner

The Property Owner agrees to make a reasonable good faith effort to maintain the integrity of the artwork and to notify the Artist in writing 15 days prior of a rental of the property that would require or removal of the artwork.

The artist agrees that other criteria for removal might include:

- 1. Excessive deterioration beyond reasonable repair
- 2. Discovered to be fraudulent
- 3. A threat to public safety
- 4. Change in use of space making artwork no longer appropriate
- 5. Excessive and recurrent vandalism

The Artist should be given the following options when applicable:

- 1. Reinstallation of the work in an appropriate location if costs are mutually agreeable
- 2. Opportunity for documentation or reproduction of the work
- 3. Opportunity for community celebration of the work with invitations made to all participants and community partners as well as members of the public

All parties to the agreement will retain the right to publish and distribute photographs of the work for promotional, educational or scholarly purposes. No party may reproduce the work for commercial use without written permission from the other signatories on the agreement. All photographs and reproductions must credit the artist, title of work, year of creation, site and town where it is installed, and include any acknowledgments specified below.

Acknow	Acknowledgements required (i.e. funders or sponsors):				
Agreed	I to by:				
	Artist (Signature)		-		
	Artist (Print Name)		-		
	Date:	-			
	Property Owner (Signature)		-		
	Property Owner (Print Name)		-		
	Date:	-			
Attach	ments:				
	Proposal				
	Design				
	Budget				
	Site Plan				
	Liability Insurance Certificate				

VACANT STOREFRONT ART TERMS OF AGREEMENT Town of Arlington, MA

Name/Description of Artwork:	
Name(s) of Artist(s):	
Email Address:	Phone :
Mailing Address:	
Name of Property Owner:	
Email Address:	
Mailing Address:	
Community partner org (if applicable):	
Contact:	
Email Address:	Phone :
Mailing Address:	
Please specify duration of exhibition:	
Date installation will begin:	
Planned removal date:	
Materials used:	
Plans for public safety during fabrication and installation:	



ARLINGTON, MA: Potential Cultural District Boundaries - 2015



Arts&Culture
Action Plan

PATHWAYS: Art on the Minuteman Bikeway

Arlington Public Art, a committee of the Arlington Commission on Arts and Culture has commissioned temporary works of public art for a section of the Bikeway running from Linwood Circle to the entrance at Swan Way near the Kickstand Cafe. Starting in June 2017, three pieces will be unveiled by artists Nilou Moochhala, Stewy, and collaborators Claudia Ravischiere and Michael Moss. Two more commission will be installed in September, by Frank Vasello and Adria Arch and Arlington's community of knitters.

It's all part of the celebration of the Bikeway's 25th Anniversary and a tribute to the rustic beauty of this strip of well-traveled green space that runs through our Town, used and enjoyed by thousands every day. We also hope to join the Center and Capitol Square as part of our interest in becoming a designated Cultural District through the Massachusetts Cultural Council. The idea is to enliven the stretch between the two parts of town with a series of temporary art installations.

PATHWAYS is supported by a grant from the Arlington Cultural Council, a local agency, and the Massachusetts Cultural Council, a state agency.

Arlington Arts&Culture Action Plan

Appendix F: Arts and Cultural Asset

List

Map Category	Asset Name
ARTIST WORK SPACE	
Artist Work Space	Morningside Music Studio
Artist Work Space	Music Studios of Arlington
ARTS EXHIBITION SPACE	
Arts Exhibition Space	13 Forest Gallery
Arts Exhibition Space	ACA Theater
Arts Exhibition Space	Artful Heart
Arts Exhibition Space	Capitol Theatre
Arts Exhibition Space	Lena Nargozian Gallery
Arts Exhibition Space	Regent Theatre
Arts Exhibition Space	True Story Theater
ARTS OR CULTURAL ORGANIZATION OR	BUSINESS
Arts or Cultural Org or Business	Alton St. Dance
Arts or Cultural Org or Business	Arlington Boys and Girls Club
Arts or Cultural Org or Business	Arlington Centered
Arts or Cultural Org or Business	Arlington Community Media
Arts or Cultural Org or Business	Arlington Community Media Studio B
Arts or Cultural Org or Business	Arlington Elks Club (Verse and Vodka)
Arts or Cultural Org or Business	Arlington Sons of Italy Lodge 1349
Arts or Cultural Org or Business	Armenian Cultural Foundation
Arts or Cultural Org or Business	Art Beat Creativity Store
Arts or Cultural Org or Business	Art Lounge
Arts or Cultural Org or Business	Art Wear
Arts or Cultural Org or Business	ArtisTRY Studio
Arts or Cultural Org or Business	Body & Brain Yoga and Taichi
Arts or Cultural Org or Business	Cambridge Typewriter Co.
Arts or Cultural Org or Business	Clay Dreams
Arts or Cultural Org or Business	Dance Place
Arts or Cultural Org or Business	Dorian Color Lab
Arts or Cultural Org or Business	Drum Connection
Arts or Cultural Org or Business	Fabric Corner
Arts or Cultural Org or Business	Frames with a History
Arts or Cultural Org or Business	Henry Bear's Park

Arlington Arts&Culture

Action Plan

Map Category	Asset Name
Arts or Cultural Org or Business	Ink Jam Tattoo Studio
Arts or Cultural Org or Business	Involution Studios
Arts or Cultural Org or Business	Japanese Language School
Arts or Cultural Org or Business	Laura's Sewing School
Arts or Cultural Org or Business	LUV and Other Gifts
Arts or Cultural Org or Business	Magic Dragon Comics
Arts or Cultural Org or Business	Maum Meditation Center
Arts or Cultural Org or Business	Maxima Gifts
Arts or Cultural Org or Business	Mosaic Oasis
Arts or Cultural Org or Business	Music Together of Arlington
Arts or Cultural Org or Business	Philharmonic Society of Arlington
Arts or Cultural Org or Business	Play Time
Arts or Cultural Org or Business	Ready, Set, Kids
Arts or Cultural Org or Business	St. John's Church & Coffee House
Arts or Cultural Org or Business	Shaker Workshops
Arts or Cultural Org or Business	The Arlington Ballet Academy
Arts or Cultural Org or Business	The Arlington Center
Arts or Cultural Org or Business	The Book Rack
Arts or Cultural Org or Business	The Costume Company
Arts or Cultural Org or Business	Things We Love
Arts or Cultural Org or Business	Upholstery on Broadway
Arts or Cultural Org or Business	Wood & Strings Music Center
Arts or Cultural Org or Business	Zhen Ren Chuan
HISTORIC LANDMARK OR ATTRACTION	
Historic Landmark or Attraction	Arlington Historical Society
Historic Landmark or Attraction	Arlington Post Office
Historic Landmark or Attraction	Civil War Monument
Historic Landmark or Attraction	Fire Station
Historic Landmark or Attraction	Jason Russell House / Smith Museum
Historic Landmark or Attraction	Jefferson Cutter House / Gallery / Cyrus E. Dallin Museum
Historic Landmark or Attraction	Masonic Temple
Historic Landmark or Attraction	Monument Park
Historic Landmark or Attraction	Mount Pleasant Cemetary
Historic Landmark or Attraction	Old Burial Ground
Historic Landmark or Attraction	Old Schwamb Mill
Historic Landmark or Attraction	Play Fair Arch at Spy Pond Field
Historic Landmark or Attraction	Whittemore Robbins House
Historic Landmark or Attraction	Whittemore House
RELIGIOUS INSTITUTION	
Religious Institution	Calvary Church, United Methodist

Arlington

Arts&Culture

Action Plan

	Map Category	Asset Name
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Religious Institution	Center for Jewish Life Arlington-Belmont
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Religious Institution Church of Our Savior
Religious Institution First Baptist Church

Religious Institution First Parish Unitarian Universalist of Arlington

Religious Institution High Rock Church

Religious Institution Park Ave Congregational Church

Religious Institution St. Anne's Chapel

Religious Institution St. Athanasius the Great Greek Orthodox Church

PUBLIC ART OR EVENT

Public Art or Event Arlington Alive!
Public Art or Event ACA Mural

Public Art or Event Arlington Day of the Dead

Public Art or Event Arlington International Film Festival

Public Art or Event A-Town Jazz Festival
Public Art or Event Arlington Greek Festival
Public Art or Event Arlington Town Day
Public Art or Event Author's Salon

Public Art or Event Chairful Where You Sit

Public Art or Event Council on Aging Chinese New Year Celebration

Public Art or Event

Farmer's Market

Feast of the East

Public Art or Event First Lights - Capitol Square
Public Art or Event First Lights - Arlington Center

Public Art or Event Fox Library Mural

Public Art or Event Hardy School - Public Art
Public Art or Event Jam n Java Open Mic

Public Art or Event Lag Baomer Drum Circle and Picnic

Public Art or Event Marathon Street Mural
Public Art or Event Painted Transformer Boxes

Public Art or Event Park Ave Congregational Church Concert Series

Public Art or Event Patriots Day Parade

Public Art or Event "Penny" Stone Swan Sculpture

Public Art or Event Romancing the Square

Public Art or Event Shakespeare in the Park / ACA

Public Art or Event Spy Pond Fun Day

Arlington

Arts&Culture

Action Plan

Mad Category Asset Nam	Map Category	Asset Name
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Public Art or Event Spy Pond Mural
Public Art or Event Uncle Sam Statue

DUBLIC EXCUITY	OR OUTDOOR	DUBLIC CDACE
PUBLIC FACILITY	OK OUTDOOK	LORLIC STACE

Public Facility or Outdoor Public Space Alewife Brook Reservation
Public Facility or Outdoor Public Space Arlington Community Education
Public Facility or Outdoor Public Space Arlington Center for the Arts
Public Facility or Outdoor Public Space Arlington Friends of the Drama

Public Facility or Outdoor Public Space Arlington Reservoir
Public Facility or Outdoor Public Space Arlington Senior Center
Public Facility or Outdoor Public Space Arlington Town Hall
Public Facility or Outdoor Public Space Broadway Plaza
Public Facility or Outdoor Public Space Crusher Lot

Public Facility or Outdoor Public Space Cutter School Park
Public Facility or Outdoor Public Space Fox Branch Library

Public Facility or Outdoor Public Space Hill's Hill

Public Facility or Outdoor Public Space Magnolia Field

Public Facility or Outdoor Public Space Menotomy Rocks Park
Public Facility or Outdoor Public Space Minuteman Bike Path
Public Facility or Outdoor Public Space Wellington Park
Public Facility or Outdoor Public Space Robbins Farm Park
Public Facility or Outdoor Public Space Robbins Library
Public Facility or Outdoor Public Space Scannell Field

Public Facility or Outdoor Public Space Scannell Field
Public Facility or Outdoor Public Space Spy Pond Park
Public Facility or Outdoor Public Space Thorndike Field
Public Facility or Outdoor Public Space Thorndike Field

Public Facility or Outdoor Public Space Uncle Sam Visitor Center

Public Facility or Outdoor Public Space Waldo Park

EATING AND DRINKING PLACES

Eating and Drinking Places Acitron Cocina

Eating and Drinking Places Anthony's East Side Deli

Eating and Drinking Places Arlington Bakery
Eating and Drinking Places Arlington Diner

Eating and Drinking Places Barismo

Eating and Drinking Places Brick Stone Cafe and Pizzeria

Eating and Drinking Places Comella's

Eating and Drinking Places Common Ground

Eating and Drinking Places Derby Farm Flowers

Eating and Drinking Places Fashion Cake Boutique

Eating and Drinking Places Flora

Eating and Drinking Places Fusion Taste
Eating and Drinking Places Kickstand Café

Arlington Arts&Culture Action Plan

Map Category	Asset Name
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Map Category	Asset Name
Eating and Drinking Places	La Posada
Eating and Drinking Places	Pasha Restaurant
Eating and Drinking Places	Penzeys Spices
Eating and Drinking Places	Punjabi Tadka
Eating and Drinking Places	Quebrada Bakery
Eating and Drinking Places	Little Q Hotpot & Szechuan House
Eating and Drinking Places	Madrona Tree
Eating and Drinking Places	Menotomy Grill
Eating and Drinking Places	Mr. Sushi Restaurant
Eating and Drinking Places	Ristorante Olivio
Eating and Drinking Places	Sabzi Restaurant
Eating and Drinking Places	Scutra
Eating and Drinking Places	Shanghai Village
Eating and Drinking Places	Something Sweet Without Wheat
Eating and Drinking Places	Sugo
Eating and Drinking Places	Sweet Chili Restaurant
Eating and Drinking Places	Szechuan's Dumpling
Eating and Drinking Places	Tango Restaurant
Eating and Drinking Places	Thai E-Sarn
Eating and Drinking Places	Thailand Cafe
Eating and Drinking Places	Thai Moon
Eating and Drinking Places	Tiki Inn
Eating and Drinking Places	Toraya Restaurant
Eating and Drinking Places	Tryst Restaurant
Eating and Drinking Places	Ζα
Eating and Drinking Places	Zhu Gardens



Town of Arlington, Massachusetts

Discussion and Authorization: CPA Committee Vacancy

Summary:

Joseph A. Curro, Jr., Chair Adam W. Chapdelaine, Town Manager



Town of Arlington, Massachusetts

Discussion and Approval: Bike Repair Station at Thorndike Field

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

	Туре	File Name	Description
D	Document for Approval	BOSWF_Memo_9.11.17.pdf	Memorandum to Board
ם	Reference Material	Attachment Initial BOS Memo 10.6.16.pdf	Prior Memorandum

MEMORANDUM

To: Arlington Board of Selectmen

From: Nat Strosberg, Senior Planner

Date: September 11, 2017

Re: Whole Foods Market Bicycle Repair Facility – New BoS Endorsement

Request:

The Arlington Bicycle Advisory Committee respectfully requests that the Arlington Board of Selectmen, at its meeting on 9.11.17, endorse the installation of a bicycle repair facility along the Minuteman Bikeway near the dog park by Thorndike Field. The facility would be both funded and installed by the Arlington branch of Whole Foods Market.

Project History:

At its meeting on 10.6.16, the Board of Selectmen voted to endorse the Town Manager's approval of a bicycle repair facility along the Minuteman Bikeway near Uncle Sam Plaza (which would be funded and installed by Whole Foods Market). However, the facility that was installed on 6.15.17 deviates from the design that was presented to the Board of Selectmen. Specifically, it was emphasized to the board that the facility would include a bike pump, which is not included on the current facility (please see Appendix A for more details).

Correction:

The Department of Planning and Community Development has identified two alternative options for rectifying the situation:

- 1) Replace the current facility with a new facility that has the exact design that was decided at the abovementioned meeting; or
- Leave the current facility intact and construct another bicycle repair facility at a new location along the Minuteman Bikeway, which would have the exact design that was decided at the abovementioned meeting.

Whole Foods Market wants to proceed with the second option. Therefore, the Bicycle Advisory Committee is respectfully requesting that the Board of Selectmen approve the same proposal that the board examined on 10.6.16 (please find the initial proposal attached), except regarding the facility location.

New Location:

The new facility would be located near the dog park by Thorndike Field (see photo below).



Arlington Redevelopment Board

At its meeting on 11.7.16, the Arlington Redevelopment Board voted to approve the placement of a liability statement and the Whole Foods Market logo on the bicycle repair facility near Uncle Sam Plaza. However, on the facility that was installed on 6.15.17, the logo design and the location of the logo and liability statement differ from what was presented to the Arlington Redevelopment Board. The Arlington Redevelopment Board agenda for its meeting on 9.11.17 includes an item that addresses this issue.

A Committee representative is available to attend the Arlington Redevelopment Board meeting on 9.11.17. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Nat Strosberg Senior Planner Town of Arlington 730 Massachusetts Avenue

Appendix A

The first rendering below shows the model that was endorsed by the Board of Selectmen on 10.6.16 (with bicycle pump). The second rendering shows the model that was installed on 6.15.17.

Product Range > Repair Stations





MEMORANDUM

To: Arlington Board of Selectmen

From: Nat Strosberg, Senior Planner

Date: October 6, 2016

Re: Whole Foods Bicycle Repair Station

Request:

The Arlington Bicycle Advisory Committee respectfully requests that the Board of Selectmen endorse the Town Manager's approval of a bicycle repair facility along the Minuteman Bikeway that would be constructed by the Arlington branch of Whole Foods.

Summary:

Whole Foods has offered to fund and coordinate the construction of a bicycle repair facility along the Minuteman Bikeway. In return, Whole Foods would like to place its logo on the facility. This user-friendly facility would be operated by the bicycle rider and accommodates one bicycle. Below are proposed elevations.



The proposed facility location is a portion of the vegetated area alongside the bikeway in the vicinity of the kiosk managed by the Committee on Tourism and Economic Development (see below).



As shown above, the location has a length of 16 feet and a width of 7 feet. This is more than enough area to accommodate a repair facility: a single facility requires approximately 6.20 feet by 5.75 feet. Furthermore, as shown below, there is ample room to locate the facility farther from the kiosk and within the same vegetated area if so desired.



Overall, the proposed location, which is on MBTA property, is quite visible and centrally located. Constructing the facility would be an extremely minor process and would not require any formal approvals beyond approval by the Board of Selectmen.

A Committee representative and I are available to attend an upcoming Board of Selectmen meeting should the Board be interested in moving forward.

Sincerely,

Nat Strosberg Senior Planner Town of Arlington 730 Massachusetts Avenue Arlington, MA 02476



Town of Arlington, Massachusetts

Discussion and Approval: Bike Sharing Regulations

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

	Type	File Name	Description
D	Reference Material	Bike_Share_Memo_9_11_2017.pdf	Bike Share Memo
D	Reference Material	Draft_Bike_Share_Regs.pdf	Draft Bike Share Regs
ם	Reference Material	Introduction_to_Ofo_Bike_Share_for_Arlington.pdf	Intro to OFO Bike Share for Arlington



Town of Arlington Office of the Town Manager

Adam W. Chapdelaine Town Manager 730 Massachusetts Avenue Arlington MA 02476-4908 Phone (781) 316-3010 Fax (78l) 316-3019

E-mail: achapdelaine@town.arlington.ma.us

Website: www.arlingtonma.gov

To: Board of Selectmen

From: Adam W. Chapdelaine, Town Manager

RE: Rules and Orders for the Licensing and Operations of Bicycle Share Programs

Date: September 8, 2017

I am requesting the Board's review and discussion of the attached draft regulations regarding bicycle sharing in Arlington. It is my goal for the Board to discuss and provide feedback regarding these regulations at Monday's meeting, and then bring back final regulations for Board approval at the meeting scheduled for September 25th.

This proposal has been prompted by a recent influx of companies that are now actively promoting dockless bike sharing. Basically, these companies have developed a technology for having a fixed lock on a bike that can be unlocked via a smartphone app. This allows for the bikes to be parked anywhere bikes are legally allowed to be parked. Even more interestingly, there is no cost to the municipality. They just want local approval for placing bikes in the community. The cost to users is \$1/hour. I have attached a PowerPoint presentation from one of these vendors (Ofo) for a more in-depth description of the service.

As you will see, the attached draft regulations propose a biannual licensing period. We would like for this to be the eventual structure, but we would first like to pilot this new model for a 6-9 month period. If the Board is amenable to this, we will bring back proposed language authorizing such a pilot to the meeting on September 25th.

I look forward to discussing this matter with you and would be happy to answer any questions that you may have.

TOWN OF ARLINGTON

Rules and Orders for the Licensing and Operation of Bicycle Share Programs

Effective as of September ___, 2017

OFFICE OF THE BOARD OF SELECTMEN

ADOPTED 9.11.17

Bike Share Services

License Requirements \boldsymbol{A} .

The Board of Selectmen exercises regulatory control over public ways in the Town of Arlington. In this capacity, any private bike share service enterprise utilizing portions of the public way, including Arlington sections of the Minuteman Bikeway, and/or Town or Arlington Public School property for the purposes of installing bike share docks or parking free-standing bike share inventory must be licensed bi-annually by the Town of Arlington on the 30th day of April each year, and shall not be transferred without the consent of the Licensing Board.

1. Definitions

- The **Licensing Board** is the Board of Selectmen.
- b. A bike share service is any for profit or non-profit enterprise which provides unsupervised bicycle rentals to individual consumers for short-term uses, including commuting, tourism, recreation, and other point-to-point travel, utilizing membership programs, mobile device applications, or unstaffed rental equipment including docking stations.
- c. A bike share operator's permit, as used in these Rules and Orders, is authorization to operate a business providing bike share rentals within the Town of Arlington.
- d. A dock-based bike share is any bike share service which operates by providing access to inventory at fixed dock locations where shared bicycles (and only the operator's shared bicycles) are secured, and may be accessed and returned by users through appurtenant unstaffed pay stations or mobile devices.
- e. A free-standing bike share is any bike share service which operates by providing access to inventory at any permitted, or otherwise allowed public or private property location within the Town of Arlington independent of a dedicated dock station, including public and private bicycle racks.
- The **public way**, is for the purposes outlined herein, any public street, sidewalk, or path owned, controlled, or operated by the Town of Arlington.

2. Permit Requirements – Bike Share Operators

A. Safety

- 1. All bike share bicycles available for use in the Town of Arlington shall meet the consumer product safety standards set forth in United States Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512.
- 2. All bike share bicycles available for use shall also be equipped to meet safety requirements set forth in M.G.L. c. 85 §11B, including, but not limited to §§11B(7) (10).
- 3. All Bike share Operators shall also ensure compliance with all relevant requirements of the Town of Arlington Bylaws Title III, Article 1: Public Ways, and Article 2: Fire Lanes.
- 4. All operators shall provide proof of a mechanism or other satisfactory means for customers to notify the company that there is a safety or maintenance issue with a bike share bicycle.
- 5. All operators shall provide proof via an mobile device application, visible notice on each available bicycle, or other satisfactory means that each consumer is notified that:
 - a. Helmets shall be worn at all times;
 - b. Bicyclists must obey state and local traffic laws; and
 - c. Bicyclists must yield to pedestrians on sidewalks.
- 6. Free-standing bike share operators must also provide proof provide proof via an mobile device application, visible notice on each available bicycle, or other satisfactory means that each consumer is notified that:
 - a. Bicycles must stored or parked at authorized locations at the end of a term of use;
 - b. Bicycles must not be stored or parked at the end of use in a manner that obstructs the public way or in any way inhibits access to public spaces.

B. Insurance, Indemnification, and Bonding

1. All permitted operators shall provide proof of and maintain commercial general liability insurance in the amounts of _____ and ____ aggregate, which name the

Town of Arlington as "additional insured," covering each bicycle available for use, parked, or left standing or unattended on any public way under the jurisdiction of the Town of Arlington AND each user using the bicycle during the period of use.

- 2. All permitted operators shall have a performance bond of \$______/bicycle. The form of the bond shall be approved by the Town of Arlington, with the purpose of such funds being service of future public property repair and maintenance costs that may be incurred, removing, and storing bicycles improperly parked, or if a company is not present to remove bicycles if its permit is terminated. If a permitted operator increases the size of their fleet, the performance bond shall be adjusted appropriately before deploying additional bicycles.
- 3. Prior to Issuance of a Permit, all bike operators shall execute an indemnification agreement to indemnify and holding harmless the Town of Arlington from any claims and/or litigation whatsoever arising out of providing bike share bicycles for use and/or consumer use of such bicycles.

C. Storage of Bicycles/Parking

- 1. Dock-Based Bike Share Operators bicycles shall be stored and made available for each new or first time use only at approved dock stations.
 - a. Any dock installation on the public way or on public property, requires a separate annual permit for each location approved by the Licensing Board.
 - b. The Town's Planning and Community Development Department and Town Engineering Department will consult applicants on feasible dock locations and necessary terms, limitations, and conditions relevant to each.
- 2. Free-standing Bike Share Bicycles shall be stored and made available for each new or first time use only at approved public space locations maintained by the Department of Planning and Community Development, or private property approved by the Operator.
 - a. Free-standing bike shares utilizing bicycle racks shall take reasonable measures to ensure that sufficient bicycle rack room is available for non-bike share, private bicycles in all approved public locations.
 - b. Free-standing bike share bicycles shall not be parked on _____ in approved locations, and must be parked upright.

c. Any free-standing bicycle that is parked outside of an approved location may be subject removal and taken to a Town facility for storage at the expense of the bicycle share operator.

D. Operational Requirements

- 1. Bike Share Operators shall have a 24-hour customer service phone number for customers to report safety concerns, complaints, or ask questions. 24-hour customer service shall also be available to address bicycle re-location for violations of the rules and orders herein.
- 2. Bike Share Operators shall also provide a direct contact for the Department of Planning and Community Development for the purposes of facilitating re-location of bike docks or free-standing individual bikes.
- 3. Any inoperable bicycle, or any bicycle that is not safe to operate shall be removed from the right-of-way within 24 hours of notice by any means to the operator by any individual or entity, and shall be repaired before putting the bicycle into revenue service.
- 4. All Bike Share Operators shall have a minimum of bicycle fleet of ______, and a maximum bicycle fleet of ______. Operators shall notify the Licensing Board at least two-weeks in advance of any change to fleet size for any reason other than maintenance and repair.
- 5. The Licensing Board reserves the exclusive right to terminate these permits at any time and require that the entire fleet of bicycles be removed from Town of Arlington public ways and spaces within thirty (30) days written notice.

E. Data Sharing

- 1. All Bike Share Operators shall provide the Town of Arlington access to their bicycle location and trip routing application programming interface (API).
- 2. Bike Share Operators shall take measures necessary to ensure that API does not personally identify users in any way.
- 3. The Town of Arlington is permitted to publicly use each permitted operator's API and display real-time data for the purposes of identifying available bicycles.

- 4. The Town of Arlington is permitted to make each Operator's API open and available for use by the public.
- 5. The Town of Arlington is also entitled to the following annual summary data:

F	Fees
г.	rees

Applicants shall pay \$_____for an Bi-Annual Permit for Bike Share Operation.

B. Application Procedures and Materials

C. License Renewal, Suspension, or Revocation

- 1. Immediate Suspension. Where necessary to ensure public safety, the Licensing Board or the Arlington Police Department under the authority of the Licensing Board may immediately suspend the license of any Bike Share Operator. Following suspension, the Licensing Board will promptly hold a hearing where it will determine the length of the suspension, or lift the suspension, or revoke the Operator's right to provide a Bike Share Service in Arlington.
- 2. Suspension or Revocation After Notice and Hearing. After notice to any licensed Bike Share Operator, the Licensing Board or the Arlington Police Department under the authority of the Licensing Board may hold a hearing to determine whether the licensee or permit-holder is or has been in violation of any these Rules and Orders or any provision of Town Bylaws or state or federal law. If, after such hearing, the Licensing Board finds that violations have occurred, the Licensing Board may issue a decision suspending the license or permit, imposing additional conditions on the license or permit, or revoking the license or permit.
- 3. Cessation of Operation. When a licensee or permit-holder ceases employment or operation under these Rules and Orders, the licensee or permit-holder must surrender his or her license to the Licensing Board.
- **5. Bi-Annual Renewals.** All Bike Share Operator licenses expire biannually.

D. Miscellaneous Provisions

- 1. **Penalties for Violation.** In addition to other penalties recited herein, any Bike Share Operator violating any of these Rules and Orders shall forfeit and pay a fine not exceeding fifty (50) dollars for each offense payable to the Town of Arlington.
- **Severability.** Each of the provisions of these Rules and Orders are severable and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.



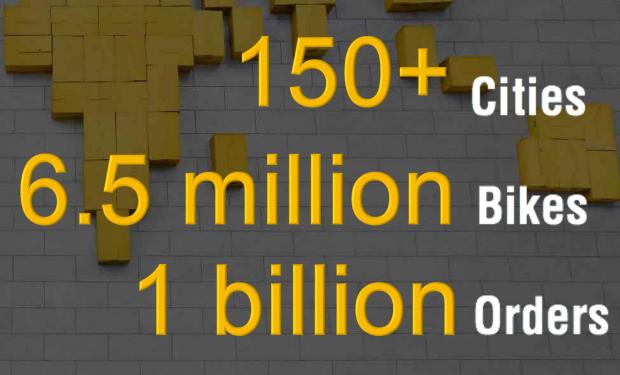
for Arlington

OfO Who We Are

- Founded in 2014 at Peking University in Beijing, ofo initiated the stationfree bike sharing model Summer 2015.
- ofo is now the world's largest and fastest growing bike sharing platform with over 25 million daily active users in over 150 cities and 200 campuses around the world.
- In the past year ofo raised over \$1.3 billion of funding in multiple rounds from ten leading global investors.
- ofo's US team includes members from top institutions, including Harvard,
 Yale, MIT and leading tech, financial and management consulting firms.

ofo's operational experience and global supply chain ensure long-term sustainable implementation for Arlington

- 1. Strong financial backing
- 2. Proven business and operational model in global urban environment
- 3. Supply chain advantage with lower costs



"Smart" Bike Advantage

Reliable, Adjustable, Comfortable, Safe

• Smart Technology for operational optimization and security: 3G-empowered, GPS enabled, mobile-synced, smart lock. Data can be used to inform Arlington transportation planning.

 Adjustable seats to accommodate user preferences



- Front LED light for superior visibility and safety
- Airless tire technology that never deflates

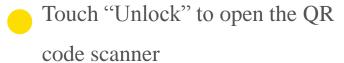
- Reliable and easy brake
- Kickstand for support parking without a docking station

Strong, durable and light aluminum alloy body

Mobile Solution

Pick Up, Ride Away, Smart Parking

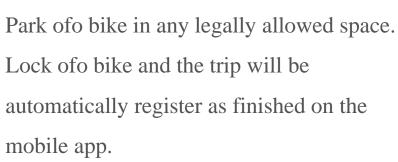






Scan the QR code on the lock and the lock opens automatically

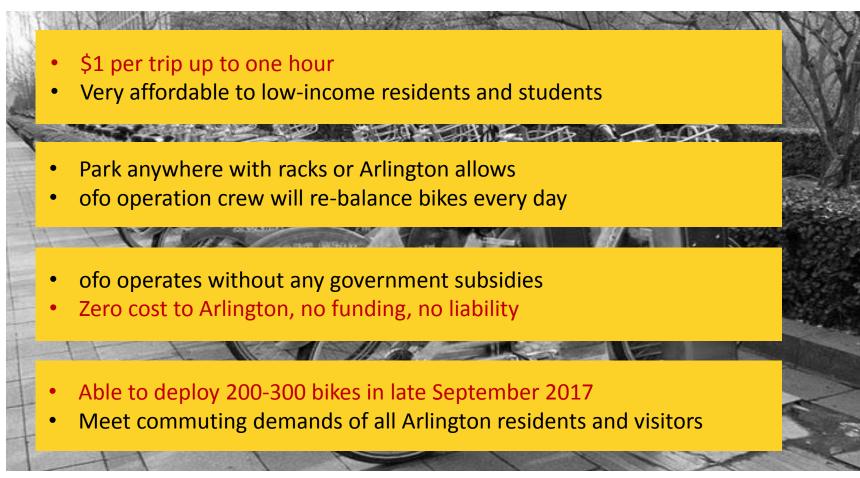




Highlight Features for Arlington

Affordable, Convenient, Self-funded, Quick and Sufficient Deployment





Benefits and Zero Cost to Arlington

Benefits for Arlington Community

- Strengthen connectivity
- Provide convenience to students and faculty
- Reduce traffic and parking congestion
- Promote health and wellness within the campus
- Improve access to public transit
- Promote sustainable and alternative modes of transportation

Zero Cost to Arlington

- Operates without public subsidies, corporate sponsors or government funding
- Venture funding gives of financial stability to deploy, maintain and operate successful transportation systems in US cities
- Backed by leading global investors





Safety First

Industry Standard Insurance

- General Liability Coverage:
 - Personal and Advertising
 Injuries: up to \$1 million
 - General Aggregate: up to \$2 million
 - Products / Completed
 Operations: up to \$2 million
 - Damage to Rented Premises:
 up to \$100,000
- Workers' Compensation Liability
 - Up to \$2 million for each accident/illness

Safe & Reliable Bikes

- All ofo bikes are produced by reputable manufactors, like FSD, BCA
- Rigorous 32-point inspections required for each bike before deployment
- All ofo bikes are regularly serviced, maintained and cleaned by ofo staff

Safety Riding Education

- Conduct safe riding campaigns and events
- Educate users through the mobile app and website to increase riding safety and etiquette
- Work with local authorities to create a bike-friendly environment and improve cycling infrastructure

Commitment to the Environment

- ofo has partnered with the United Nations Development Program (UNDP) and donated USD 3 million to work together for a clean, sustainable and safe environment for the planet
- On 17th of each month, ofo will donate its income to the UNDP to support the 17 universally approved sustainable development goals, which aim to eradicate poverty, fight inequality and tackle climate change by 2020.





Impacts of dockless bike sharing in Shenzhen, China since beginning of 2017

50%

Dockless bike trips served as last-mile connections to public transit trips

10%

Bike trips replaced private car driving trips

100K+ Tons

Reduction in Annual CO₂ Emissions*

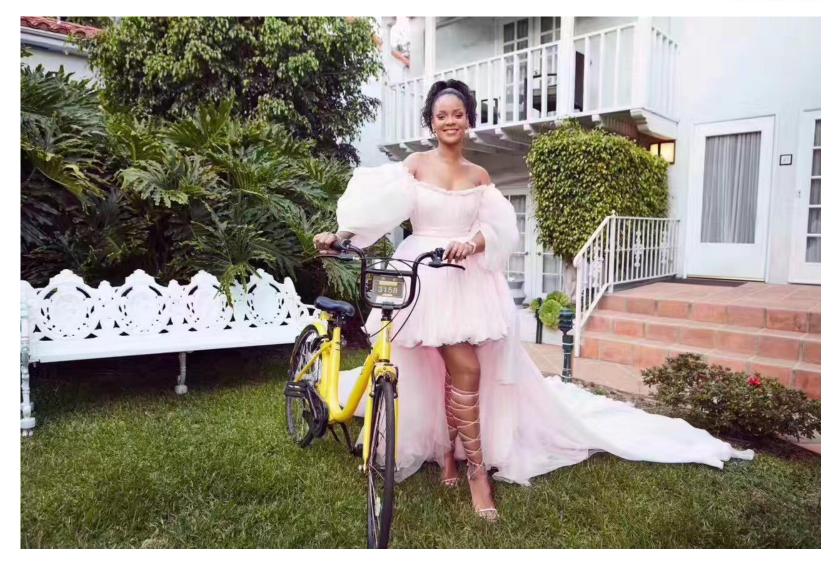
Source: Meeker Report 2017

^{*} Based on following assumptions – 250k reduction in daily private car trips, avg. trip length of 10km, avg. fuel consumption of 6.9 L/100km, avg. CO2 emission of 2kg/L of fuel.

Commitment to Education



- Ofo announced a five-year partnership with Rihanna's Clara Lionel Foundation (CLF) to provide funding to CLF's Global Scholarship Program and support educational programs at Malawi.
- The scholarship will help hundreds of girls attend secondary schools in Malawi
- Ofo will also donate bikes to those scholarship recipients to combat some of the regional transportation challenges contributing to Malawi's high drop-out rates.





Cedric Pan
Lead Launcher
of New England Region, ofo US
panchao@ofo.com





Town of Arlington, Massachusetts

Request for Approval: Formation of Marijuana Study Committee

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type File Name Description

□ Reference Material MMTC_RMF_Memo_9_11_2017.pdf MMTC and RMF Memo



Town of Arlington Office of the Town Manager

Adam W. Chapdelaine Town Manager 730 Massachusetts Avenue Arlington MA 02476-4908 Phone (781) 316-3010 Fax (78l) 316-3019

E-mail: achapdelaine@town.arlington.ma.us

Website: www.arlingtonma.gov

To: Board of Selectmen

From: Adam W. Chapdelaine, Town Manager

RE: Recreational Marijuana Facilities & Medical Marijuana Treatment Centers Study Group

Date: September 8, 2017

This Study Group is being proposed to review and make recommendations to zone for recreational marijuana facilities and possibly amend existing Arlington zoning for Medical Marijuana Treatment Centers in compliance with M.G.L. Chapter 40A and other state regulations. This group will formulate and recommend uniform regulation and licensing requirements relative to recreational and medical marijuana, while protecting the public health, safety and welfare of the community. This Study Group will operate in alignment with a broader effort to recodify and update the Zoning Bylaw. Zoning recommendations will be made to the Arlington Redevelopment Board with a goal of bringing zoning to a 2018 Town Meeting.

Group membership shall include not more than thirteen (13) members: Town Manager or his designee; one member of the Arlington Redevelopment Board; one member of the Board of Selectmen; one member from each of the following Town Departments: Planning and Community Development, Inspectional Services, Health and Human Services, Police, and Legal; three at-large representatives with qualifications in land use, economic development, public health and/or public safety. Two Town Meeting members shall be appointed by the Town Moderator. At-large members shall be appointed by the Town Manager, subject to approval of the Board of Selectmen.



Town of Arlington, Massachusetts

Discussion and Approval: Updated FY17 - FY18 Board and Manager Goals

Summary:

Joseph A. Curro, Jr., Chair Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type File Name Description

Reference Material Updated_FY1718_BoS_Mgr_Goals.pdf Update FY17-18 BOS.Manager Goals

Category/Goal	Assigned Res	 sponsibility
	Board of Selectmen	Town Manager
LONG RANGE FINANCIAL/STRATEGIC PLANNING & SUSTAINABILITY *		
Work with Long Range Planning Committee to update existing multi-year financial plan while also considering opportunities to reduce the Town's structural deficit in preparation for		
future multi-year financial plans and work with the Budget and Revenue Taskforce to identify financial impact of the Arlington High School building project	X	Х
Deliverable – The Chair will provide an update to the Board of Selectmen following meetings of the Long Range Planning Committee	X	
Deliverable – The Town Manager or Deputy Town Manager will present updates regarding the Long Range Plan to the Board on a quarterly basis		Х
Deliverable – The Board will call a meeting of the Budget and Revenue Taskforce at least once per year	X	
Deliverable – Work to engage and inform the public about the projected timeline of future overrides and debt exclusions and the corresponding service level impacts	X	Х
Deliverable – Work to better utilize existing financial tools and documents (AVB & Financial Plan) to educate residents about the correlation between service levels and taxation	X	Х
Investigate reduction of MWRA debt shift as a means of offsetting tax bill impacts of future overrides and debt exclusions	Х	X
Continue to evaluate current methods of delivering various services to ensure that the most productive, cost efficient method is used		X
Continue to pursue grant funding and other revenue enhancing opportunities including grants available to Community Compact program participants		х
Work with legislators and other communities for a more equitable distribution of state resources and identify and communicate the Town's legislative priorities to the local delegation	Х	х
Priorities to include working with utility companies to explore system upgrades and better coordination amongst varying utilities, specifically focused on better coordination between utility work and Town paving projects, gas leak repair and double pole removal		х
Advocate for increasing the state match for CPA funding and the full implementation of recommendations of the Foundation Budget Review Commission	Х	Х
Advocate for both MassWorks and MassDOT funding to begin Phase 2 of the Massachusetts Avenue project	Х	х
Work with state and federal legislative delegation to urge the FAA to consider options which might mitigate the impact of the noise of flights over East Arlington	Х	
CAPITAL PROJECTS AND MAINTENANCE		
Continue to work with the Town Manager and the School Department on continued implementation of the joint Town/School Facilities Department with a focus on asset inventory and programming of maintenance scheduling.	X	x
Work with the Arlington High School Building Committee in determining the preferred plan for renovating/reconstructing Arlington High School and funding the project	х	х
School building renovation/construction – (, Thompson Expansion, Gibbs Renovation, Hardy Expansion)	Х	х
Deliverable – Work with the Town Manager, PTBC, and the School Department to see that all of these projects are designed, bid, and constructed on-time and under budget		Х
Finalize the sale of the property at 1207 Massachusetts Avenue	Х	х
Work with the ARB and the PTBC on hiring an OPM and architect to begin designing upgrades to the Central School space focused on improving the space used as a Senior Center		Х
Work with the Town Manager and the PTBC to hire an architect and begin plans for a renovation of the DPW facility		Х
Work with the Town Manager, the Friends of the Robbins Town Hall Gardens, and the Community Preservation Committee to implement appropriated improvements to Town Hall and the Gardens		х
		<u> </u>
LONG RANGE COMMUNITY PLANNING, LAND USE, COMMUNITY DEVELOPMENT, AND TOURISM		
Work with the Master Plan Implementation Committee to continue the implementation of the key strategies and recommendations contained within the Master Plan, including a continuing focus on the work of the Zoning Recodification Committee and the Residential Study Group	X	x
Work with the Arlington Tourism and Economic Development Committee to review the committee's priorities and the committee's structure with a focus on developing a sustainable model through which these priorities can be achieved	X	
Continue to support efforts focused on economic development, business retention, and tourism through working with the Economic Development Coordinator, with a particular focus on reducing the number of retail storefront vacancies in Arlington's commercial districts	х	х
Work to oppose the current proposal for the Mugar property, protect the wetlands contained within the property, and work toward the best outcome for the property, the neighborhood, and the Town	Х	х
Continue to work with the Arlington Commission on Arts and Culture to support promotional opportunities for arts and culture in Arlington, work to promote the recently approved cultural district, and assist in the implementation of the Arts and Culture Action Plan	х	х
Work with the Cemetery Commission and ARB to consider the impending shortage of cemetery space	Х	Х

Work with Town Manager and other stakeholders on identifying land for storm debris and snow storage	Х	Х
Establishment a beautification committee to explore opportunities for enhancing holiday decorations and other aesthetic aspects of the Town	Х	
Communicate and coordinate with neighboring communities to identify issues that have regional impacts, the following included:	Х	Х
Work with Cambridge, Somerville, and the MWRA to eliminate all CSO discharges into the Alewife Brook within the next 20 years. Uphold Town Meeting vote to restore		
Alewife Brook to a Federal Class B waterway	X	X
Work with DCR and MassDOT on Alewife Greenway to protect the Town's interests and ensure that appropriate state agencies uphold their commitment to maintenance and veg	Х	Х
Work with state legislators. Cambridge and Belmont to renew the stormwater joint powers agreement	X	Х
Investigate the potential for regionalizing an approach to stormwater (MS4) permitting		Х
TRANSPORTATION AND PARKING		
Continue to communicate and work with residents, businesses, and relevant agencies as Massachusetts Ave, Phase 2 moves into the design phase and advocate for project funding via		
the MassWorks grant program and the MassDOT funding process	Х	x
Work with the Parking and Implementation and Governance Committee on managing the Arlington Center Parking Management Strategy and work to prepare proposals for the Parking		
Benefit District	Х	Х
Work with the Parking and Implementation and Governance Committee on investigating the implementation of a mobile payment app for parking meters, considering a variable pricing		
model, enhancing data collection and reporting, and exploring expansion of metering	Х	Х
Work with the Planning and Community Development Department as it studies means of getting residents to Alewife with the First Mile, Last Mile grant and as it pursues grant funding to study Bus Rapid Transit	Х	X
Work with ABAC and TAC to leverage the Complete Streets program and promote and encourage multimodal transportation in Arlington, support corresponding infrastructure		
improvements throughout Town, and explore bike sharing opportunities	X	Х
Work with stakeholders to finalize design and identify funding for the traffic signal at the intersection of Lake Street and the Minuteman Bikeway	X	Х
Work with Disabilities Commission and Department of Public Works to continue to aggressively fund and implement ADA accessible curb ramp improvements	X	Х
Initiate comprehensive review of the impact of Waze and other navigations apps that are impacting traffic in neighborhoods throughout Arlington	X	Х
Work to draft updates to bylaw regarding private ways, including an update to the betterment process	X	X
PUDLIC COMMUNICATIONS AND CUSTOMED SERVICE		
PUBLIC COMMUNICATIONS AND CUSTOMER SERVICE		
Continue exploring options for customer service enhancement including enhanced use of website, offering of mobile app for the Request/Answer Center, and connecting citizen requests to the GIS database	Х	x
Receive quarterly reporting from the Request/Answer center with a focus on volume and response time. How long before request is acknowledged? Monitor long term unanswered		
requests and explore further metrics that provide value to the Board	X	х
Update the Selectmen's Policy Handbook and establish a policy outlining the manner and frequency in which it will be reviewed	Χ	
Review all board applications for licenses and permits, and update applications and processes across departments	Х	Х
Work with Town Manager and Public Information Officer to maintain and expand traditional and alternative means to enhance public communication including investigating the		
implementation of community engagement training	Х	Х
Continue to enhance accessibility and transparency of Board of Selectmen proceedings through the integration of technology	X	
Explore the implementation of remote participation for both Board members and residents and the technology that would be necessary to make it practical	X	
Work to develop a memorandum of agreement with the Town Clerk's Office and the Board of Registrars regarding the management and administration of elections	X	
INFORMATION TECHNOLOGY		
Work with the Director of Information Technology to renew the 3 year IT Strategic Plan		Х
Deliverable –Develop new 3 year IT Strategic Plan		Х
Work with departments to expand the implementation of online bill payments		Х
Deliverable – Continue implementation of online bill paying to further departments		Х
Work to integrate GIS data and mapping tools into Public Works work order management		х
Deliverable – Demonstrate integration of GIS tools into Public Works work order management		х

ENERGY EFFICIENCY/SUSTAINABILITY				
Continue work with the Energy Working Group, leveraging Arlington's designation as a Green Community, to improve the Town's energy efficiency.				
Work to investigate further expansion of electric vehicle charging infrastructure for public use.				
ORGANIZATIONAL				
Prepare to begin bargaining with all bargaining units for a new contract beginning in FY2019				
Continue to recruit and hire qualified, professional, and excellent employees at all levels of the organization				
Work to provide organization wide professional development, focused on customer service training.				



Request 4 Way Stop @ Broadway and Wyman Street

Summary:

Margaret Stinson, 23 Wyman Street Steven Lazar, 234 Broadway Residents of Broadway and Wyman Street

ATTACHMENTS:

Type File Name Description

□ Reference Material Resident_Request_Wyman_St.CR.pdf Residents' Correspondence, Meeting Notice

From: "Steve Lazar via Selectmen" <Selectmen@town.arlington.ma.us>

To: "Fran Reidy" <FReidy@town.arlington.ma.us>

Cc: LWiener@town.arlington.ma.us, wchouinard@town.arlington.ma.us, stinson.cynthia@gmail.com

Date: 08/04/2017 11:19 AM

Subject: [Selectmen] Proposal/Request for Traffic Intervention at Intersection of Broadway and Wyman Street

Dear Board of Selectmen:

I am writing to you at the suggestion of Ms. Laura Wiener, AICP, Assistant Director of Planning for the Town of Arlington's Department of Planning and Community Development. I am a long-time resident of the Town of Arlington, and write on behalf of a group of concerned Arlington residents who live close to the intersection of Broadway and Wyman Street, and request that the Board of Selectmen consider the placement of traffic intervention, i.e., stop signs, on Broadway at the intersection with Wyman Street.

As you are most likely familiar, this intersection is in the middle of an eight-block stretch of Broadway, extending between stop lights on Broadway at River/Bates Streets and Franklin Street in the Center. There are no traffic controls on Broadway for this eight block stretch. Many automobiles exceed the safe speed limit along Broadway, and there have been frequent automobile accidents along the stretch. There is also a pedestrian crosswalk at the intersection of Broadway at Wyman, which is unprotected by stop signs or lights. We believe that this situation presents a continuing danger to the Arlington community --- to pedestrians and drivers alike.

Attached is a request for the Board of Selectmen to recommend and implement the installation of traffic controls along this stretch of Broadway. In particular, we recommend that the intersection of Broadway and Wyman Street have stop signs in all four directions. For information purposes, I have also attached a printout provided by the Arlington Police Department, listing the 13 reported incidents along this stretch of Broadway in the past 18 months.

We would be pleased to discuss the matter further with the members of the Board and the Transportation Advisory Committee.

Thank you very much for your attention to this proposal.

Respectfully Submitted,

Steven R. Lazar 234 Broadway

Arlington, MA

Margaret Stinson 23 Wyman Street Arlington, MA

Attachments:

File: Dangerous Intersection of Broadway and

The, Dangerous intersection of broadway and

Wyman - 8-4-2017.pdf

File: Broadway Crash Data.pdf

Size:

Content Type:

70k

application/pdf

Size:

Content Type:

174k

3' '' / 1

application/pdf

To: Town of Arlington Board of Selectmen

From: Residents of Wyman Street and Broadway in Arlington

Subject: Request Review & Install Four-Way Stop Signs at Wyman St. & Broadway

Date: August 4, 2017

Dear Members of the Town of Arlington's Board of Selectmen:

This past month, we had yet another accident at the intersection of Wyman and Broadway Streets. As long term residents of this street, we have personally witnessed numerous serious accidents at this intersection. This dangerous intersection poses a continuing threat to public safety, and we urge the Board of Selectmen to take action to prevent further accidents, or worse yet a possible accident fatality. Several characteristics of this intersection contribute to the particularly high danger of this intersection:

- 1) Broadway is frequently used as an alternate route to Massachusetts Avenue by drivers seeking to minimize their time passing through East Arlington between Somerville/Cambridge and Arlington Center and parts west. Drivers frequently exceed the speed limit on the eight-block stretch of Broadway extending from Franklin Street to Bates/River Street, along which there are no traffic controls (i.e., traffic lights or stop signs).
- 2) Wyman St. is a "cut-through" street, which runs directly from Massachusetts Avenue to Mystic Valley Parkway. Surrounding streets parallel to Wyman, such as Adams and Tufts Streets, do not run straight through Broadway. Hence, GPS devices often direct drivers onto Wyman Street from Mass Avenue to the Mystic Valley Parkway. Often drivers 'roll through' the stop sign on Wyman entering the intersection with Broadway without seeing the fast-moving traffic approaching from either side.
- 3) A pedestrian walkway crosses Broadway at this intersection, which is presently unaided by traffic control on Broadway. Cars approaching on Broadway often speed up to precede pedestrians, or slow down or stop to allow pedestrian traffic to cross. Cars entering the intersection also tend to use pedestrian traffic to 'shield' them so that they can cross or turn behind the crossing pedestrians. All of this tends to cause confusion and/or consternation (i.e., road rage).

One example of the extreme danger posed at this intersection is the impaired driver who SPED through Wyman Street, heading to the Parkway, crashing into several parked vehicles and almost causing fatalities. A review of Arlington's police logs will confirm that several accidents per year occur at this dangerous intersection and that the uncontrolled traffic on Broadway between Franklin Street and River/Bates Streets poses a continued danger to both pedestrians and drivers.

We urge you to consider the attached Arlington Crash Data received from APD to confirm the high incidence of accident reports --- 13 since January 1, 2016 --- along Broadway between Franklin St and Bates/River St. It is a very dangerous section of roadway. Installing stop signs on Broadway at the intersection with Wyman will greatly reduce the risk of high-speed accidents at this dangerous intersection, as well as adjacent intersections along this stretch of Broadway.

We know that, like us, the members of the Board of Selectmen are greatly concerned about public safety and genuinely want to address dangerous intersections in order to make the streets of Arlington safer for pedestrians, cyclists and drivers. We urge the Committee to act, by installing 4-way stop signs, in order to better control traffic along Broadway and Wyman Street at this intersection.

We thank you for your attention to this matter.

Respectfully Submitted,

Margaret Stinson 23 Wyman St Steven Lazar 234 Broadway Alex and Cristin Bagnall 10 Wyman St Edoardo Prete 24 Wyman St Randy Fassas 231 Broadway Michelle and Mark Walata 11 Wyman St.

Crash Report	Date	Time	Location
1700000306	7/10/2017	17:47	Broadway & Wyman
1700000173	4/20/2017	16:54	Broadway & Foster
1700000102	2/24/2017	15:17	Broadway & Rawson
1700000095	2/16/2017	8:47	Broadway & Allen
1700000086	2/10/2017	13:04	Broadway & Wyman
1700000059	1/26/2017	8:25	Broasway & Allen
1700000038	1/11/2017	17:46	Broadway & Webster
1600000542	12/23/2016	12:23	Broadway & Wyman
1600000531	12/18/2016	11:00	Broadway & Tufts
1600000245	6/20/2016	10:42	Broadway & Wyman
1600000163	5/5/2016	8:00	Broadway & Rawson
1600000158	5/4/2016	12:27	Broadway & Rawson
1600000042	2/6/2016	7:58	Broadway & Palmer

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR.,, CHAIR STEVEN M. BYRNE., VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

August 25, 2017

Margaret Stinson 23 Wyman Street Arlington, MA 02474 Steven Lazar 234 Broadway Arlington, MA 02474

We are in receipt of your correspondence in which you request the placing of a 4 Way Stop Sign at the intersection of Broadway and Wyman Street.

Thank you for writing to the Board of Selectmen. Your correspondence will appear on the September 11th Selectmen's Agenda under "Correspondence Received". Although it is not necessary for you to be in attendance, you may do so if you are so inclined.

If you have any questions, please do not hesitate to contact this office.

Very truly yours, BOARD OF SELECTMEN

Marie a. Krepelber x

Marie A. Krepelka Board Administrator

MAK:fr



Resignation from the Community Preservation Act Committee

Summary:

David Levy, 7 Westmoreland Avenue

ATTACHMENTS:

Type File Name Description

Reference Material Levy_CR.pdf Correspondence from Mr. Levy, Meeting Notice

Page 1 of 1—Cours, Rec.

From: David Levy <dlev71@gmail.com>

To: mkrepelka@town.arlington.ma.us

Adam Chapdelaine <AChapdelaine@town.arlington.ma.us>, "Eric Helmuth, Dan Dunn for

Selectman" <eric@erichelmuth.com>

Date: 09/04/2017 12:06 PM **Subject:** Resignation from CPAC

Hi Marie,

Effective immediately, I am resigning from the Arlington Community Preservation Act Committee as a Selectmen's Appointee. Please let this email serve as official notice to Arlington's Board of Selectmen. It has been a pleasure serving on the committee.

Thank you, David Levy 7 Westmoreland Avenue Arlington, MA 02474

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR STEVEN M. BYRNE, VICE CHAIR KEVIN F. GREELEY DIANE M. MAHON DANIEL J. DUNN



730 MASSACHUSETTS AVENUE TELEPHONE 781-316-3020 781-316-3029 FAX

TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

September 6, 2017

David Levy 7 Westmoreland Avenue Arlington, MA 02474

Dear Mr. Levy:

We are in receipt of your correspondence of September 4th in which you inform the Selectmen of your resignation on the Community Preservation Committee . Your correspondence will appear on the September 11th Selectmen's Agenda under "Correspondence Received". Although it is not necessary for you to attend the meeting, you may do so if you are so inclined.

If you have any questions, please do not hesitate to contact this office.

Very truly yours, BOARD OF SELECTMEN

Marie a. Supelse on

Marie A. Krepelka Board Administrator

MAK:fr



Concerns re Traffic Accidents at Intersection of Warren Street and Rawson Road

Summary:

Joseph Hogan via e-mail

ATTACHMENTS:

	Type	File Name	Description
ם	Reference Material	Email_from_JHogan.docx	e-mail from J. Hogan
ם	Reference Material	Picture_1.jpg	Picture #1
ם	Reference Material	Picture_2.jpg	Picture #2

--Original Message-----

From: Joseph Hogan <josepht.hogan84@gmail.com>

To: "mkrepelka@town.arlington.ma.us" <mkrepelka@town.arlington.ma.us>

Date: Fri, 04 Aug 2017 23:07:16 +0000 Subject: Re: Warren/Rawson Intersection

Marie, I am writing in regards to my email from 7/18. I look forward to speaking at your convenience

Joe

On Tue, Jul 18, 2017 at 11:11 PM Joseph Hogan <<u>josepht.hogan84@gmail.com</u>> wrote: Marie, My name is Joseph Hogan. I obtained your contact information through a colleague in the Board of Selectment office. Enclosed is an email I sent to the Arlington Request Center earlier this month. Further, enclosed are pictures of the referenced intersection. (With and w/o flash) Any opportunity to discuss solutions pertaining to the high volume of traffic accidents at the Warren/ Rawson intersection would be greatly appreciated.

Joseph Hogan







NEW BUSINESS



EXECUTIVE SESSION



Next Scheduled Meeting of BoS September 25, 2017